



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक

WEEKLY

सं. 5] नई दिल्ली, जनवरी 25—जनवरी 31, 2009, शनिवार/माघ 5—माघ 11, 1930
No. 5] NEW DELHI, JANUARY 25—JANUARY 31, 2009, SATURDAY/MAGHA 5—MAGHA 11, 1930

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृष्ठक संकलन के रूप में रखा जा सके।
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 20 जनवरी, 2009

का. आ. 173.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, गृह मंत्रालय के नियमित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80% से अधिक हो जाने के फलस्वरूप उन्हें एतदद्वारा अधिसूचित करती है :—

केन्द्रीय रिजर्व पुलिस बल

- (1) कार्यालय अपर पुलिस उप महानिरीक्षक, ग्रुप केन्द्र, केन्द्रीय रिजर्व पुलिस बल, डोइवाला ।
- (2) कार्यालय अपर पुलिस उप महानिरीक्षक, ग्रुप केन्द्र, केन्द्रीय रिजर्व पुलिस बल, अमेरी ।
- (3) कार्यालय पुलिस उप महानिरीक्षक, केन्द्रीय रिजर्व पुलिस बल, श्रीनगर ।
- (4) कार्यालय पुलिस उप महानिरीक्षक, (परिचालन) केन्द्रीय रिजर्व पुलिस बल, श्रीनगर ।
- (5) कार्यालय अपर पुलिस उप महानिरीक्षक, ग्रुप केन्द्र, केन्द्रीय रिजर्व पुलिस बल, श्रीनगर ।
- (6) कार्यालय कमांडेंट-181 बटालियन, केन्द्रीय रिजर्व पुलिस बल ।
- (7) कार्यालय कमांडेंट-182 बटालियन, केन्द्रीय रिजर्व पुलिस बल ।
- (8) कार्यालय कमांडेंट-183 बटालियन, केन्द्रीय रिजर्व पुलिस बल ।

(9) कार्यालय कमांडेंट-184 बटालियन, केन्द्रीय रिजर्व पुलिस बल ।

(10) कार्यालय कमांडेंट-185 बटालियन, केन्द्रीय रिजर्व पुलिस बल ।

सीमा सुरक्षा बल

- (1) फ्रन्टियर मुख्यालय सीमा सुरक्षा बल, सिल्चर (असम) ।
- (2) फ्रन्टियर मुख्यालय सीमा सुरक्षा बल, दक्षिण बंगाल, कोलकाता ।
- (3) सेक्टर मुख्यालय सीमा सुरक्षा बल, जलपाईगुड़ी ।
- (4) 46 बटालियन सीमा सुरक्षा बल ।

केन्द्रीय औद्योगिक सुरक्षा बल

- (1) के.ओ.सु.ब. यूनिट वीएसए पोर्टब्लेयर एयरपोर्ट (अंडमान एण्ड निकोबार)
- (2) के.ओ.सु.ब. यूनिट एलजीबीआई गुवाहाटी एयरपोर्ट (असम)
- (3) के.ओ.सु.ब. यूनिट रायपुर एयरपोर्ट, रायपुर (छत्तीसगढ़)
- (4) के.ओ.सु.ब. यूनिट खजुराहो एयरपोर्ट, छत्तीसगढ़ (म.प्र.)
- (5) के.ओ.सु.ब. यूनिट मांगलौर एयरपोर्ट (कर्नाटक)
- (6) के.ओ.सु.ब. यूनिट राजकोट एयरपोर्ट (गुजरात)
- (7) के.ओ.सु.ब. यूनिट उदयपुर एयरपोर्ट (राजस्थान)
- (8) के.ओ.सु.ब. यूनिट भोपाल एयरपोर्ट (म.प्र.)
- (9) के.ओ.सु.ब. यूनिट भुज एयरपोर्ट (गुजरात)
- (10) के.ओ.सु.ब. यूनिट तेजपुर एयरपोर्ट (असम)

- (11) के.आौ.सु.ब. यूनिट इम्फाल एयरपोर्ट (मणिपुर)
- (12) के.आौ.सु.ब. यूनिट औरंगाबाद एयरपोर्ट (महाराष्ट्र)
- (13) के.आौ.सु.ब. यूनिट एनएसपीसीएल रातकेला (उडीसा)
- (14) के.आौ.सु.ब. यूनिट बी ओ एम बोलानी (उडीसा)
- (15) के.आौ.सु.ब. यूनिट पीटीपीएस पानीपत (हरियाणा)

[सं. 12017/1/2008-हिन्दी]

अवधेश कुमार मिश्र, निदेशक (राजभाषा)

MINISTRY OF HOME AFFAIRS

New Delhi, the 20th January, 2009

S.O. 173.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs where the percentage of Hindi knowing staff has gone above 80% :

Central Reserve Police Force

- (1) Office of the Additional DIGP, Group Centre, Central Reserve Police Force, Doiwala.
- (2) Office of the Additional DIGP, Group Centre, Central Reserve Police Force, Amethi.
- (3) Office of the DIGP, Central Reserve Police Force, Srinagar.
- (4) Office of the DIGP, (OPS), Central Reserve Police Force, Srinagar.
- (5) Office of the Additional DIGP, Group Centre, Central Reserve Police Force, Srinagar.
- (6) Office of the Commandant-181 Battalion, Central Reserve Police Force.
- (7) Office of the Commandant-182 Battalion, Central Reserve Police Force.
- (8) Office of the Commandant-183 Battalion, Central Reserve Police Force.
- (9) Office of the Commandant-184 Battalion, Central Reserve Police Force.
- (10) Office of the Commandant-185 Battalion, Central Reserve Police Force.

Border Security Force

- (1) Frontier HQ BSF, Silcher (Assam).
- (2) Frontier HQ BSF, South Bengal, Kolkata.
- (3) Sector HQ BSF, Jalpaiguri.
- (4) 46 Battalion BSF.

Central Industrial Security Force

- (1) CISF Unit VSA Airport Portblair (Andaman and Nicobar)
- (2) CISF Unit LGBI Guwahati Airport (Assam)
- (3) CISF Unit Raipur Airport Raipur (Chhattisgarh)
- (4) CISF Unit Khajuraho Airport Chattarpur (M.P.)
- (5) CISF Unit Mangalore Airport (Karnataka)
- (6) CISF Unit Rajkot Airport (Gujarat)
- (7) CISF Unit Udaipur Airport (Rajasthan)
- (8) CISF Unit Bhopal Airport (M.P.)

- (9) CISF Unit Bhuj Airport (Gujarat)
- (10) CISF Unit Tejpur Airport (Assam)
- (11) CISF Unit Imphal Airport (Manipur)
- (12) CISF Unit ASG Aurangabad (Maharashtra)
- (13) CISF Unit NSPCL Rourkela (Orrisa)
- (14) CISF Unit BOM Bolani (Orrisa)
- (15) CISF Unit PTPS Panipat (Haryana).

[No. 12017/1/2008-Hindi]

AVADHESH KUMAR MISHRA, Director (OL)

कार्यिक, लोक शिकायत तथा येंशन मंत्रालय

(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 20 जनवरी, 2009

का.आ. 174.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पटित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उत्तर प्रदेश राज्य सरकार, गृह (पुलिस) सेक्शन-3 की अधिसूचनां सं. यूओ. 114/6-पी-3-2008-15(59) पी/2008 दिनांक 3 सितंबर, 2008 द्वारा प्राप्त सहमति से पुलिस स्टेशन कोतवाली नगर, जिला-फैजाबाद में दर्ज अपराध सं. 2758/08 के अधीन भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 489-ए, 489-बी, 489-सी और 489-डी के अधीन दंडनीय अपराध तथा उक्त अपराध से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और घड़यांत्रों और उसी संब्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किहीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण उत्तर प्रदेश राज्य पर करती है।

[सं. 228/84/2008-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 20th January, 2009

S.O. 174.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh Home (Police) Section-3 vide Notification No. U.O. 114/6-P-3-2008-15/(59)P/2008 dated 3rd September, 2008, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for investigation of Case Crime No. 2758/08 under Sections 489-A, 489-B, 489-C and 489-D of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Kotwali Nagar, District Faizabad and attempts and conspiracies in relation to or in connection with the offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/84/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 20 जनवरी, 2009

का.आ. 175.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ परिवर्त धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, असम राज्य सरकार, राजनीतिक (ए) विभाग, दिसपुर की अधिसूचना सं. पीएलए-326/2008/11-ए दिनांक 10 जुलाई, 2008 द्वारा प्राप्त असम राज्य सरकार की सहमति से एपीओ कालोनी, मारधेरीटा के श्री प्रसन्ना तुरंग, तिराक स्वायत जिला कार्डसिल डिमांड समिति के कार्यकारी अध्यक्ष और उनकी पाली श्रीमती कोमाईरुरंग जो 8 अप्रैल, 2007 की रात से गायब हैं कि गुमशुदगी के संबंध में मारधेरीटा पुलिस स्टेशन, जिला तीनसुखिया, असम में भारतीय दंड सहिता, 1860 (1860 का अधिनियम 45) की धारा 365 और 34 के तहत दर्ज मामला सं. 51/2007 के अधीन अपराध तथा इस मामले से संबंधित अथवा संसक्त प्रयत्न, दुष्प्रेरण और छड़यन्त्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध/अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण असम राज्य पर करती है।

[सं. 228/61/2008-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

New Delhi, the 20th January, 2009

S.O. 175.—In exercise of the powers conferred by sub-section (1) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Assam, Political (A) Department, Dispur vide Notification No. PLA.326/2008/11-A dated 10th July, 2008, hereby extends the powers and jurisdiction of the members of the Delhi Special Police establishment to the whole of the State of Assam for investigation of Case No. 51/2007 under sections 365 and 34 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Margherita, District Tinsukia, Assam relating to disappearance of Shri Prasanna Turung, working President of Tirap Autonomous District Council Demand Committee and his wife Smt. Kohmai Turung of A.P.O. Colony, Margherita who have been missing from the night of 8th April, 2007 and attempts, abetments and conspiracies in relation to or in connection with the offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/61/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(वित्तीय सेवाएँ विभाग)

नई दिल्ली, 19 जनवरी, 2009

का.आ. 176.—राष्ट्रीय बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उप खण्ड (1) के साथ परिवर्त बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप धारा (3) (ज) और (3-क) द्वारा प्रदत्त

शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, डॉ. शांता चावदा को, उनकी नियुक्ति की अधिसूचना की तारीख से अथवा अगला आदेश होने तक, जो भी पहले हो, बैंक ऑफ इंडिया के निदेशक मंडल में अंशकालिक गैर-सरकारी निदेशक के रूप में पुनर्नियमित करती है।

[फा.सं. 9/21/2008-बीओ-1]

जी.बी.सिंह, उप सचिव,

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 19th January, 2009

S.O. 176.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of the Banking Companies (Acquisition & Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby re-nominates Dr. Shanta Chavda as part-time non-official Director on the Board of Directors of Bank of India, for a period of three years from the date of notification of her appointment or until further orders, whichever is earlier.

[F.No. 9/21/2008-BO-I]

GB. SINGH, Dy. Secy.

नई दिल्ली, 19 जनवरी, 2009

का.आ. 177.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10 की उप धारा (1) के खण्ड (ग) के उपखण्ड (i) के उपबंध, इलाहाबाद बैंक पर लागू नहीं होंगे, जहां तक उनका संबंध इलाहाबाद बैंक के अध्यक्ष एवं प्रबंध निदेशक श्री के.आर. कामथ का मैसर्स यूनिवर्सल सोम्पो जनरल इंश्योरेंस कंपनी लिमिटेड के निदेशक मंडल में निदेशक के पद पर नियमित होने से है।

[फा.सं. 20/9/2006-बीओ-1]

जी.बी. सिंह, उप सचिव

New Delhi, the 19th January, 2009

S.O. 177.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Government of India on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-clause (i) of clause (c) of sub-section (1) of Section 10 of the said Act shall not apply to Allahabad Bank in so far as it relates to the nomination of Shri K.R. Kamath, Chairman & Managing Director of the Bank as a director on Board of M/s Universal Sompo General Insurance Company Ltd.

[F.No. 20/9/2006-BO-I]

GB. SINGH, Dy. Secy.

संचार और सूचना प्रौद्योगिकी मंत्रालय

(दूरसंचार विभाग)

(राजभाषा अनुवाद)

नई दिल्ली, 14 जनवरी, 2009

का.आ. 178.—केन्द्रीय सरकार, राजभाषा (संघ के शासकों द्वारा प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित 1987) के

नियम 10(4) के अनुसरण में संचार और सूचना प्रौद्योगिकी मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

महाप्रबंधक (मध्य) महानगर टेलीफोन निगम लिमिटेड, मुम्बई

[सं. ई. 11016/1/2009-रा.भा.]

सुधा श्रोत्रिय, संयुक्त सचिव (प्रशासन)

MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

(Department of Telecommunications)

(O.L. Section)

New Delhi, the 14th January, 2009

S.O. 178.—In pursuance of rule 10(4) of the Official Language (Use for official purposes of the Union), rules, 1976 (as amended, 1987), the Central Government hereby notifies the following Office under the administrative control of the Ministry of Communications and

1.	डा. के.एस. गणपति, प्राचार्य आक्सफोर्ड डेंटल कालेज, बोम्मानहल्ली, होम्सूर रोड, बंगलौर- 560068, कर्नाटक।	निर्वाचित	दन्तचिकित्सा संस्थाओं के प्रमुखों में से	11-12-2008
2.	डा. मुनिष कोहली, प्राचार्य सरस्वती डेंटल कालेज एवं अस्पताल 233, तिवारी गंज, फैजाबाद रोड, पी.ओ. जुगांव (वाया चिन्हट) लखनऊ-227105, उत्तर प्रदेश।	निर्वाचित	-तदैव-	-तदैव-
3.	डा. जे.एम. जयराज, प्राचार्य, श्री राम कृष्ण डेंटल कालेज एवं अस्पताल, एस.एन.आर. कालेज रोड, अवारमपलायम, कोयम्बटूर- 641006, तमिलनाडू।	निर्वाचित	-तदैव-	-तदैव-
4.	डा. एल. कृष्ण प्रसाद, प्राचार्य, सिबर इंस्टीट्यूट ऑफ डेंटल साइंसेस, तक्केलापड़ु, गुंडुर-522509, आन्ध्र प्रदेश।	निर्वाचित	-तदैव-	-तदैव-

[फा. सं. वी.-12013/3/2006-डी.ई.]

राज सिंह, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Dental Education Section)

New Delhi, the 19th December, 2008

S.O. 179.—In exercise of the power conferred under section 3 of the Dentists Act, 1948 (16 of 1948), the Central Government hereby makes the following amendment in

Information Technology, Department of Telecommunications where more than 80% of staff have acquired working knowledge of Hindi.

General Manager (Central) Mahanagar Telephone Nigam Limited, Mumbai

[No.E.11016/1/2009-O.L.]

SUDHA SHROTRIA, Jt. Secy. (Adm.)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(दन्त शिक्षा अनुभाग)

नई दिल्ली, 19 दिसम्बर, 2008

का.आ. 179—दन्तचिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार स्वास्थ्य और परिवार कल्याण मंत्रालय की दिनांक 24 जनवरी, 1984 की अधिसूचना संख्या का.आ. 430 में एतद्वारा निम्नलिखित संशोधन करती है अर्थात् :-

उक्त अधिसूचना में क्रम संख्या 1 से 4 तथा उससे संबंधित प्रविष्टियों में “धारा 3 के उपबंध के साथ पठित खण्ड (ग) के अन्तर्गत निर्वाचित” शब्द के अधीन उसमें निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :-

दन्तचिकित्सा संस्थाओं के
प्रमुखों में से

-तदैव-

11-12-2008

-तदैव-

-तदैव-

-तदैव-

-तदैव-

-तदैव-

the notification of the Government of India in the Ministry of Health and Family Welfare No. S.O. 430 dated 24th January, 1984 namely :—

In the said notification under head “Elected under clause (c) read with proviso to section 3” for serial Nos. 1 to 4 and the entries relating thereto, the following shall be substituted therein, namely :—

1. Dr. K.S. Ganapathy, Principal The Oxford Dental College Bommanahalli, Hosur Road, Bangalore-560068, Karnataka	Elected	From amongst Heads of Dental Institutions	11-12-2008
2. Dr. Munish Kohli, Principal Saraswati Dental College & Hospital 233, Tiwari Ganj, Faizabad Road P.O. Juggour (Via Chainhat) Lucknow- 227105, Uttar Pradesh	Elected	From amongst Heads of Dental Institutions	11-12-2008
3. Dr. J.M. Jeyaraj, Principal Sri Ramakrishna Dental College & Hospital, S.N.R. College Road, Avarampalayam, Coimbatore- 641006, Tamil Nadu	Elected	From amongst Heads of Dental Institutions	11-12-2008
4. Dr. L. Krishna Prasad, Principal Sibar Institute of Dental Sciences Takkellapadu, Guntur-522509 Andhra Pradesh	Elected	From amongst Heads of Dental Institutions	11-12-2008"

[F.No.V. 12013/3/2006-DE]

RAJ SINGH, Under Secy.

नागर विमानन मंत्रालय

नई दिल्ली, 7 जनवरी, 2009

का.आ. 180.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, अलीगढ़ हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

MINISTRY OF CIVIL AVIATION

New Delhi, the 7th January, 2009

S.O. 180.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Aligarh Airport, Aligarh. Subordinate Office of the Airport Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No.E.-11020/6/2006-Hindi]

C.B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का.आ. 181.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, प्रतापगढ़ हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[No.E.-11020/6/2006-Hindi]

C.B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का.आ. 182.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, प्रतापगढ़ हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

New Delhi, the 7th January, 2009

S.O. 182.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Pratapgarh Airport, Pratapgarh. Subordinate Office of the Airports Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No. E-11020/6/2006-Hindi]

C. B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का. आ. 183.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, कानपुर हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

New Delhi, the 7th January, 2009

S.O. 183.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Kanpur Airport, Kanpur. Subordinate Office of the Airports Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No. E-11020/6/2006-Hindi]

C. B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का. आ. 184.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, शिमला हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

New Delhi, the 7th January, 2009

S.O. 184.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Simla Airport, Simla. Subordinate Office of the Airports Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No. E-11020/6/2006-Hindi]

C. B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का. आ. 185.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, गगल हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

New Delhi, the 7th January, 2009

S.O. 185.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Gaggal Airport, Gaggal. Subordinate Office of the Airports Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No. E-11020/6/2006-Hindi]

C. B. NARNAULI, Director (O.L.)

नई दिल्ली, 7 जनवरी, 2009

का. आ. 186.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अधीन उपक्रमों, भारतीय विमानपत्तन प्राधिकरण, कोटा हवाईअड्डा जिनके 100 प्रतिशत कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. ई-11020/6/2006-रा.भा.]

चन्द्रभान नारनौली, निदेशक (राजभाषा)

New Delhi, the 7th January, 2009

S.O. 186.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use of official purpose of the Union), Rules, 1976 the Central Government hereby notified Office of the Controller of Airworthiness Kota Airport, Kota. Subordinate Office of the Airports Authority of India an attached Office of Ministry of Civil Aviation whereof more than 100% staff have acquired the working knowledge of Hindi.

[No. E-11020/6/2006-Hindi]

C. B. NARNAULI, Director (O.L.)

मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(राजभाषा एकक)

नई दिल्ली, 9 जनवरी, 2009

का.आ. 187.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग) के अन्तर्गत भारतीय इतिहास अनुसंधान परिषद्, नई दिल्ली को, जिनके 80% प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. 11011-1/2009-रा.भा.ए.]

अनिता भट्टनगर जैन, संयुक्त सचिव

**MINISTRY OF HUMAN RESOURCE
DEVELOPMENT**

(Department of Higher Education)

(Official Language Unit)

New Delhi, the 9th January, 2009

S.O. 187.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for official purposes of the Union), Rules, 1976 the Central Government hereby notifies the Indian Council of Historical Research, New Delhi under the Ministry of Human Resource Development (Department of Higher Education), whose more than 80% members of the staff have acquired working knowledge of Hindi.

[No. 11011-1/2009-O.L.U.]

ANITA BHATNAGAR JAIN, Jt. Secy.

नई दिल्ली, 16 जनवरी, 2009

का.आ. 188.—सार्वजनिक स्थान अधिनियम, 1971 (1971 का 40) (अनाधिकृत रूप से कब्जा करने वालों को बेदखली) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और मानव संसाधन विकास मंत्रालय, उच्चतर शिक्षा विभाग (पूर्ववर्ती माध्यमिक और उच्चतर शिक्षा विभाग) में भारत सरकार के दिनांक 17 मई, 2006 की अधिसूचना संख्या का.आ. 2660 के अधिक्रमण में इस प्रकार के अधिक्रमण से पहले की गई बारों अथवा किए जाने के लिए निर्धारित की गई बारों को छोड़कर, केन्द्र सरकार एवं द्वारा प्रोफेसर रॉकेट इब्राहिम, विशेष कार्य अधिकारी (सम्पदा), जामिया मिलिया इस्लामिया को सरकार के राजपत्रित अधिकारी के पदनाम के समतुल्य पद होने के नाते उक्त अधिनियम के उद्देश्यों के लिए संपदा अधिकारी नियुक्त करती है, वह सौंपी गई शक्तियों का प्रयोग करेंगे तथा जामिया मिलिया इस्लामिया के प्रशासनिक नियंत्रण के अंतर्गत तथा जामिया मिलिया इस्लामिया के परिसर की स्थानीय सीमाओं के संबंध में उक्त अधिनियम द्वारा अथवा उसके अंतर्गत संपदा अधिकारी के लिए सौंपे गए कर्तव्यों को पूरा करेंगे।

[सं. एफ. 6-24/2008-डेस्क (यू.)]

के. एल. नन्दवानी, अवर सचिव

New Delhi, the 16th January, 2009

S.O. 188.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Human Resource Development, Department of Higher Education (erstwhile Department of Secondary and Higher Education), number S. O. 2660, dated the 17th May, 2006, except as respect things done or omitted to be done before such supersession, the Central Government hereby

appoints Professor Rocket Ibrahim, Officer on Special Duty (Estate), Jamia Millia Islamia, being an officer equivalent to the rank of a gazetted officer of Government, to be estate officer, for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed, on the estate officer by or under the said Act, in respect of the public premises within the local limits of Jamia Millia Islamia campus belonging to and under the administrative control of the Jamia Millia Islamia.

[No. F. 6-24/2008-Desk (U)]

K. L. NANDWANI, Under Secy.

वैद्युत मंत्रालय

नई दिल्ली, 16 जनवरी, 2009

का.आ. 189.—वैद्युत अधिनियम, 2003 (2003 का 36) की धारा 162 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा दिनांक 17-8-2006 को उसके अंतर्गत जारी वैद्युत मंत्रालय की अधिसूचना और दिनांक 18-1-2006 के का.आ. संख्या 295 तथा दिनांक 20-11-2008 की अधिसूचना में आंशिक संशोधन के अंतर्गत दिल्ली मैट्रो रेल कारपोरेशन लि. के निम्नलिखित अधिकारी दिनांक 17 जनवरी, 2009 के बाद भी 3 वर्ष की अवधि तक वैद्युत निरीक्षक/सहायक वैद्युत निरीक्षक के रूप में कार्य करते रहेंगे—

सं. अधिकारी का नाम	पदनाम	धारित पद
1. श्री शरत शर्मा	कार्यकारी निदेशक	वैद्युत निरीक्षक (वैद्युत)
2. श्री ए.के. गर्ग	मुख्य वैद्युत अभियंता	वैद्युत निरीक्षक
3. श्री सुशील कुमार	उप मुख्य वैद्युत	सहायक वैद्युत निरीक्षक अभियंता
4. श्री रूपेश कुमार	उप मुख्य वैद्युत	सहायक वैद्युत निरीक्षक अभियंता

2. इसके अतिरिक्त, वैद्युत अधिनियम, 2003 (2003 का 36) की धारा 162 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समुचित सरकार एवं द्वारा इस अधिसूचना के जारी होने की तारीख से दिल्ली मैट्रो रेल कारपोरेशन लि. (डीएमआरसी) के निम्नलिखित अधिकारियों को तीन वर्ष की अवधि के लिए वैद्युत निरीक्षक और सहायक वैद्युत निरीक्षक के रूप में नियुक्त करती है :—

सं. अधिकारी का नाम	पदनाम	धारित पद
1. श्री महेन्द्र कुमार	उप मुख्य वैद्युत	वैद्युत निरीक्षक अभियंता
3. श्रीमती विजय लक्ष्मी	उप मुख्य वैद्युत	सहायक वैद्युत निरीक्षक अभियंता
4. श्री संजय कुमार	उप महा प्रबन्धक	सहायक वैद्युत निरीक्षक

3. उपर्युक्त अधिकारी डीएमआरसी द्वारा अधिकृत क्षेत्र के भीतर या डीएमआरसी के नियंत्रण के अंतर्गत/डीएमआरसी से संबंधित सभी कार्यों या वैद्युत अधिकारियों में वैद्युत कार्यों, विद्युत अधिकारियों और वैद्युत चल स्टाक के संबंध में अपनी शक्तियों का प्रयोग करेंगे तथा

अपने संबंधित कार्यों का निष्पादन करेंगे। हालांकि, डीएमआरसी यह सुनिश्चित करेगा कि वे, मुख्य अधिकारी अथवा उप मुख्य वैद्युत अधिकारी के रूप में उनको सौंपे गए कार्य के संबंध में वैद्युत निरीक्षक/सहायक वैद्युत निरीक्षक नहीं होंगे।

[फा. सं. 42/4/(i)/2001—आर एण्ड आर]

आई.सी.पी. केशरी, संयुक्त सचिव

MINISTRY OF POWER

New Delhi, the 16th January, 2009

S.O. 189.—In exercise of the powers conferred by sub-section (1) of Section 162 of the Electricity Act, 2003 (36 of 2003) read with Ministry of Power's Notification dated 17-8-2006 issued thereunder and in partial modification of the Ministry of Power's Notification No. S. O. 295 dated 18-1-2006 and Notification dated 20-11-2008, the following officers of the Delhi Metro Rail Corporation Ltd. would continue to function as Electrical Inspector/Assistant Electrical Inspector for a further period of three years beyond 17th January, 2009 :

S. No.	Name of officer	Designation	Presently functioning as
1.	Shri Sharat Sharma	Executive Director (Electrical)	Electrical Inspector
2.	Shri A.K. Garg	Chief Electrical Engineer	Electrical Inspector
3.	Shri Sushil Kumar	Deputy Chief Electrical Engineer	Assistant Electrical Inspector
4.	Shri Rupesh Kumar	Deputy Chief Electrical Engineer	Assistant Electrical Inspector

2. Further, in exercise of the powers conferred by Section 162 of the Electricity Act, 2003 (36 of 2003), the appropriate Government hereby appoints the following officers of the Delhi Metro Rail Corporation Ltd. (DMRC) to be the Electrical Inspector and Assistant Electrical Inspector for a period of three years from the date of issue of this notification :—

S. No.	Name of officer	Designation	Appointed as
1.	Shri Mahendra Kumar	Deputy Chief Electrical Engineer	Electrical Inspector
2.	Smt. Vijaya Laxmi	Deputy Chief Electrical Engineer	Assistant Electrical Inspector
3.	Shri Sanjay Kumar	Deputy General Manager	Assistant Electrical Inspector

3. The above mentioned officers shall exercise the powers and perform their respective functions in respect of electrical works, electrical installations and electrical rolling stock in operation within the areas occupied by the

DMRC or in respect of works and all electrical installations under the control of DMRC/belonging to DMRC. However, DMRC will ensure that they will not be Electrical Inspector/Assistant Electrical Inspector in respect of the work assigned to them as Chief Electrical Engineer or Deputy Chief Electrical Engineer.

[F. No. 42/4(i)/2001-R&R]

I. C. P. KESHRI, Jt. Secy.

नई दिल्ली, 16 जनवरी, 2009

का.आ. 190.—वैद्युत अधिनियम, 2003 (2003 का 36) की धारा 162 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा उसके अंतर्गत वैद्युत भवालय द्वारा दिनांक 17-8-2006 को जारी की गई अधिसूचना के साथ पठित, केन्द्र सरकार एवं द्वारा केन्द्रीय वैद्युत प्राधिकरण (सीईए) के निम्नलिखित अधिकारियों को यह अधिसूचना जारी होने की तारीख से 3 वर्ष की अवधि के लिए, वैद्युत निरीक्षक के पद पर नियुक्त करती है :—

सं. अधिकारी का नाम	पदनाम	तैनाती का स्थान
1. सर्व श्री रमेश कुमार उप निदेशक		आरआईओ (नाथ), नई दिल्ली
2. श्री ए. बालन	अधीक्षण अधिकारी	आरआईओ (साकुथ)
	अधीक्षण अधिकारी	आरआईओ (पिंगा), अधीक्षण अधिकारी (दक्षिण) के स्थान पर नियुक्त किया गया है।

[फा. सं. 42/4/(ii)/2001—आर एण्ड आर]

आई.सी.पी. केशरी, संयुक्त सचिव

New Delhi, the 16th January, 2009

S.O. 190.—In exercise of the powers conferred by sub-section (1) of Section 162 of the Electricity Act, 2003 (36 of 2003) read with Ministry of Power's Notification dated 17-8-2006 issued thereunder, the Central Government hereby appoints the following officials of Central Electricity Authority (CEA) as Electrical Inspector for a period of three years from the date of issue of this Notification :

S. No.	Name of officer	Designation	Place of Posting
1.	S./Shri Ramesh Kumar	Deputy Director	RIO (North), New Delhi
2.	Shri A. Balan	Superintending Engineer	RIO (South)

2. Shri A. Balan, Superintending Engineer has been appointed in place of Shri P.K. Mishra, Superintending Engineer, RIO (South).

[F. No. 42/4(ii)/2001-R&R]

I. C. P. KESHRI, Jt. Secy.

उपभोक्ता मापले, खाद्य और सार्वजनिक वितरण मंत्रालय

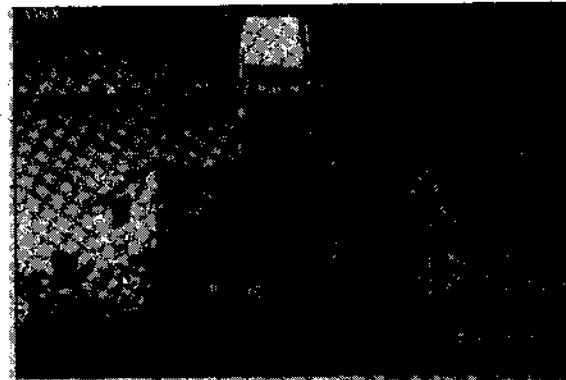
(उपभोक्ता पायले विभाग)

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 191.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैक्समैच इक्विपमेंट प्रा. लि., प्लाट नं. 229, मेहमदाबाद, नाडियाद स्टेट हाईबे, वरसोला, तह. मेहमदाबाद, जिला-खेडा, गुजरात द्वारा विनियमित यथार्थता वर्ग 0.2 वाले “एम बी सी पी” श्रृंखला के डिस्ट्रिक्टिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (हुपर व्हीयर-बेविंग प्लांट) अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम “मैक्समैच” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनमोदन विह आई एन डी/09/08/234 समनदेशित किया गया है, अनमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कोट्यूअस टोटलाइजिंग स्वचालित तोलन उपकरण (हुपर व्हीयर-ब्रेकिंग प्लांट) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 10 कि. ग्रा. है और सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। उक्त मशीन को आर एम सी सीमेंट ब्रेकिंग प्लांट आदि में लिभिन्न इंग्रिडेंट्स को तोलने और भने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती भारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2

इंडिकेटर की तल प्लेट में और उसके पिछली तरफ छेद करके, इनमें से सीलिंग वायर निकाल कर, वायर पर लीड सील लगाई जाती है ताकि इंडिकेटर को खोला न जा सके। मॉडल को सीलबंद करने के उपर्युक्त का एक प्रस्तुपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनियोग द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुप्रोद्धित मॉडल का विनियोग किया गया है, विनियमित उसी शृंखला के द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुप्रोद्धित मॉडल का विनियोग किया गया है, विनियमित उसी शृंखला के द्वारा उसी सिद्धांत, डिजाइन के अनुसार और कार्यपालन के तोलन उपकरण भी होंगे जो 50 कि.ग्रा. से 5000 कि.ग्रा. तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(104)/2008]

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 30th December, 2008

S.O. 191.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with digital indication and of Accuracy class-0.2, series "MVC" and with brand name "MAXMECH" (hereinafter referred to as the said model), manufactured by M/s. Maxmech Equipments Pvt. Ltd., Plot No. 229, Mahemdavad-Nadiad State Highway, Varsola, Ta. Mahemdavad, Dist. Kheda, Gujarat and which is assigned the approval mark IND/09/08/234;

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher-Batching Plant) with a maximum capacity of 1000kg. and minimum capacity of 10kg. The verification scale interval (e) is 100g. The machine is designed for weighing and filling the various ingredient used in RMC cement batching plant etc. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

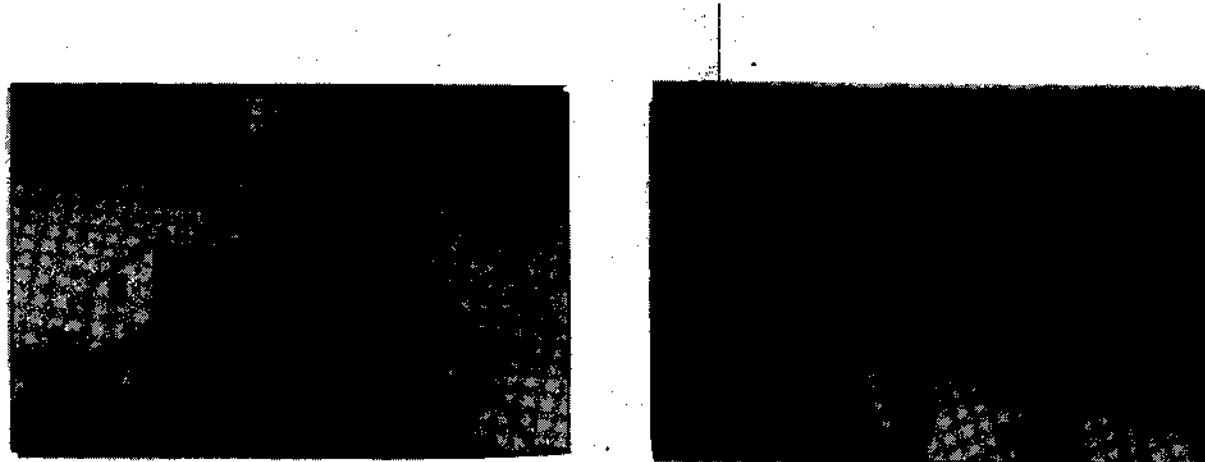


Figure-2

Sealing is done by making holes in the indicator at the bottom plate & back side of the indicator, then a sealing wire is passed through these holes & a lead seal is fixed on the wire to prevent the opening of the indicator. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 50kg. to 5000kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

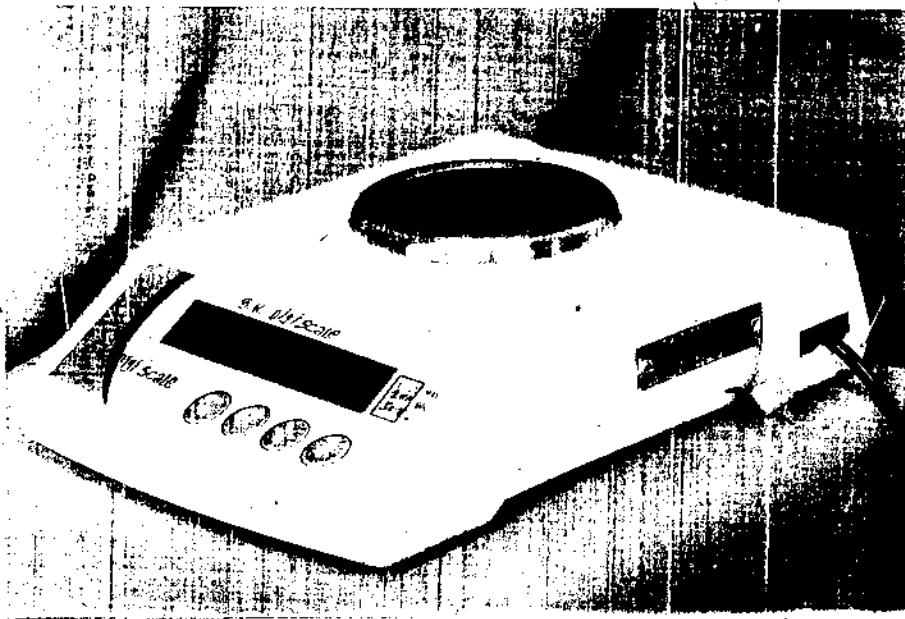
[F. No. WM-21 (104)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 192.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल व्याधिता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स लुहार जेराम रामजी एंड कं. जेसार रोड, नियर रेलवे क्रासिंग, सावरकुण्डला-364515, गुजरात द्वारा विनिर्मित उच्च व्याधिता (व्याधिता वर्ग-II) बाले “जे आर जे-600जी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “एस.के.डी.जी. स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/204 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 600 ग्रा. और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सीलिंग दो तरफ की जाती है, एक तरफ स्टार्पिंग प्लेट, केबिनेट बाड़ी और बैक साइड प्लेट में से गूढ़ित स्टोल तार निकाली जाती है और फिर लीड सील से सील किया जाता है। दूसरी तरफ गूढ़ित तार केबिनेट बाड़ी और बैक साइड प्लेट में से निकाल कर लीड सील से सील किया जाता है। मॉडल को सीलबन्द करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, व्याधिता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 , 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूणीक या शून्य के समतुल्य हैं।

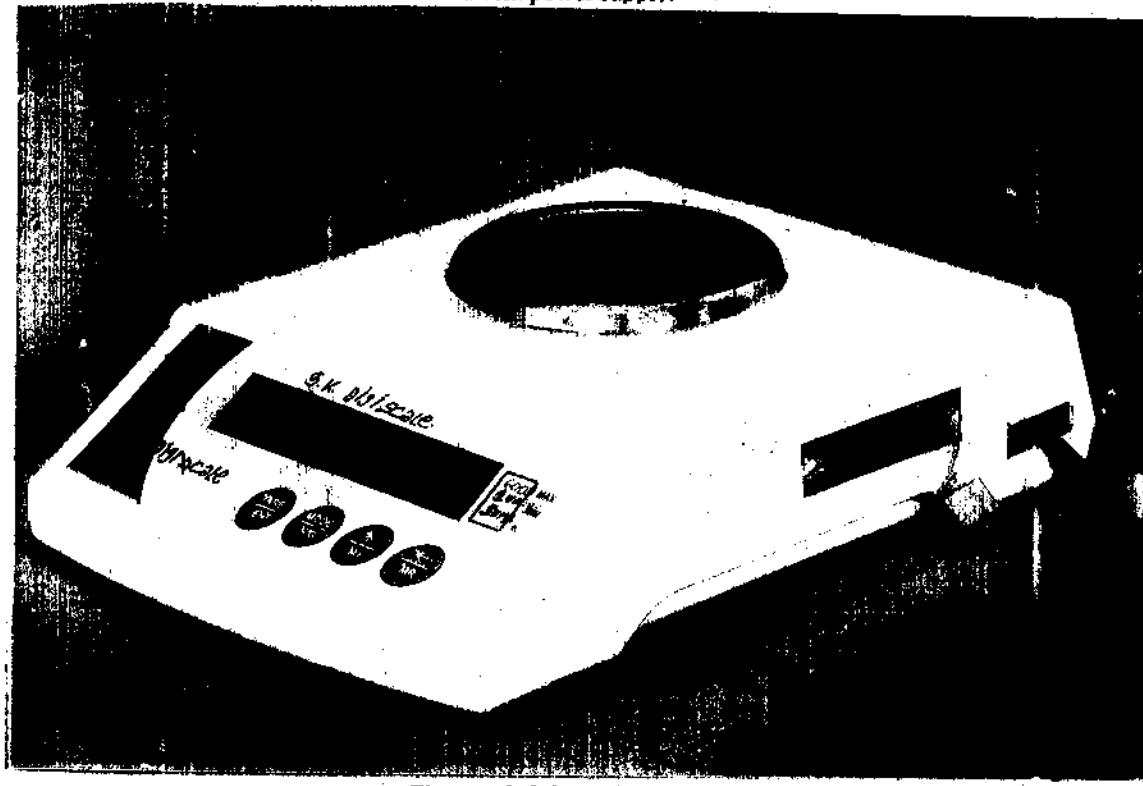
[फा. सं. डब्ल्यू एम-21(24)/2008]
आर. माधुरवृथम, निदेशक, विधिक माप विभाग

New Delhi, the 30th December, 2008

S.O. 192.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "JRJ-600g" and with brand name "S. K. DIGI SCALE" (hereinafter referred to as the said model), manufactured by M/s. Luhar Jeram Ramji & Co., Jesar Road, Nr. Railway Crossing, Savarkundala-364515, Gujarat and which is assigned the approval mark IND/09/08/204;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 600g. and minimum capacity of 1g. The verification scale interval (e) is 50mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Figure—2 Schematic diagram of the model

Sealing is done at the two sides, at one side by passing a twisted steel wire through holes of stamping plate, cabinet body and through back side plate and then sealed with lead seal. At the other side twisted wire passes through cabinet body and backside plate and then sealed with lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (24)/2008]

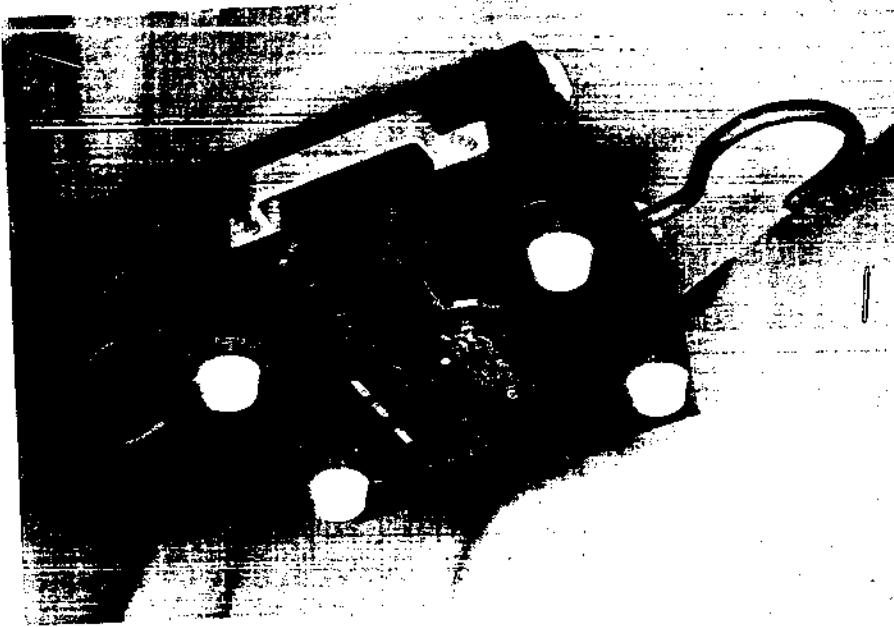
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 193.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स लुहार जेराम रामजी एंड कं., जेसार रोड, नियर रेलवे क्रासिंग, सावरकुण्डला-364515, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जे आर एच-350के” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (हैंगिंग टाइप) के मॉडल का, जिसके ब्रांड का नाम “एस.के.टी.जी.स्केल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/205 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (हैंगिंग टाइप) है। इसकी अधिकतम क्षमता 350 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सीलिंग दो तरफ की जाती है, एक तरफ स्टार्पिंग प्लेट, केबिनेट बाड़ी और बैक साइड प्लेट में से गूथित स्टील तार निकाली जाती है और फिर लीड सील से सील किया जाता है। दूसरी तरफ गूथित तार केबिनेट बाड़ी और बैक साइड प्लेट में से निकाल कर लीड सील से सील किया जाता है। मॉडल को सीलाबन्द करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 , 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(24)/2008]

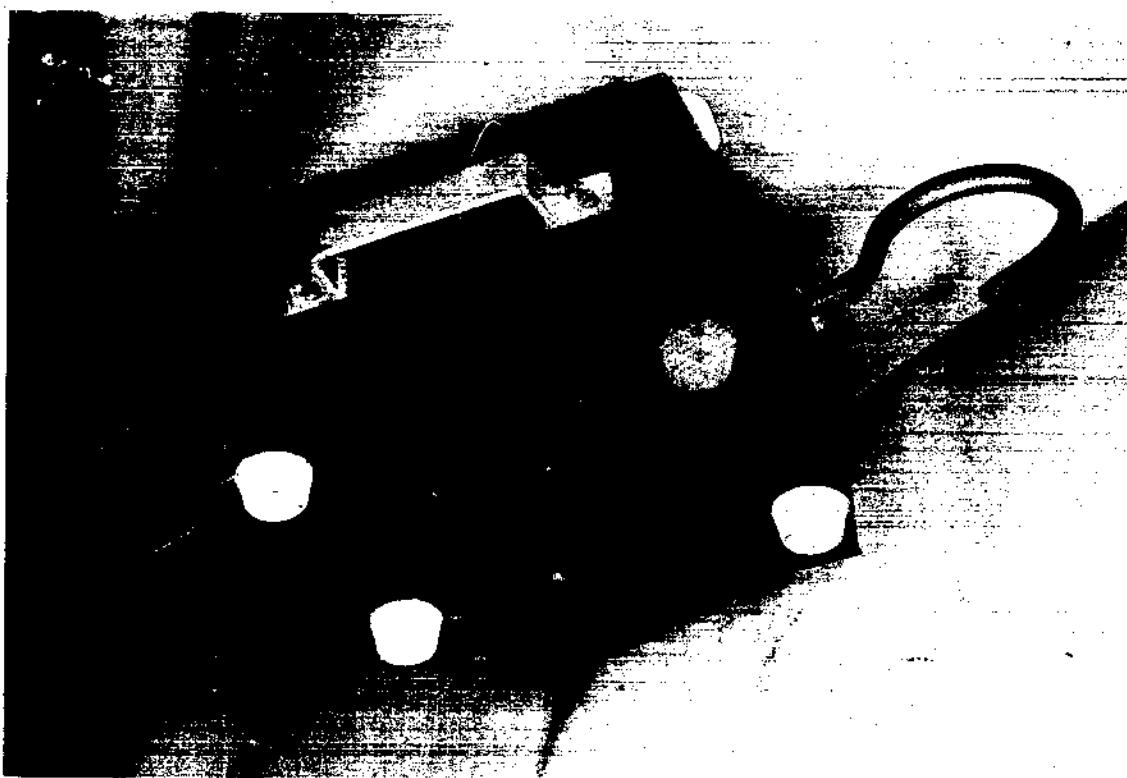
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 193.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging type) with digital indication of medium accuracy (Accuracy class-III) of series "JRH-350k" and with brand name "S. K. DIGI SCALE" (hereinafter referred to as the said model), manufactured by M/s. Luhar Jeram Ramji & Co., Jesar Road, Nr. Railway Crossing, Savarkundala-364515, Gujarat and which is assigned the approval mark IND/09/08/205;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging type) with a maximum capacity of 350kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Figure—2 Sealing provision of the indicator of model

Sealing is done at the two sides, at one side by passing a twisted steel wire through holes of stamping plate, cabinet body and through back side plate and then sealed with lead seal. At the other side twisted wire passes through cabinet body and backside plate and then sealed with lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (24)/2008]

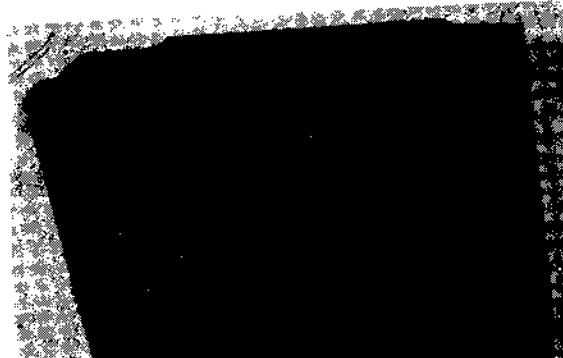
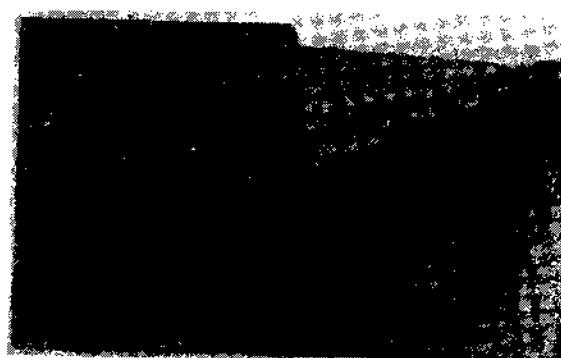
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 194.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साको विहार रोड, पोवई, मुंबई-400072 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "WB-H" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके बांड का नाम "मैटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन विह आई एन डी/09/08/196 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वेब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 80 टन है और न्यूनतम क्षमता 400 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिकिंड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

मॉडल के इंडीकेटर के दार्थी तल साइड को सीलबंद किया गया है। बाहरी कवर से भीतर कवर तक एक छेद किया जाता है तथा स्टार्मिंग के लिए पैंच के जरिये एक सीसायुक्त तार से बांधा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैंसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 , 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(277)/2007]
आर. माथुरवृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 194.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (weighbridge type) with digital indication of "WB-H" series belonging to medium accuracy (Accuracy class-III) and with brand name "METTLER TOLEDO" (herein referred to as the said model), manufactured by M/s. Mettler Toledo India Private Limited, Amar Hills, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/09/08/196;

The said model is a strain gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 80 tonne and minimum capacity of 400kg. The verification scale interval (e) is 20kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure 1 Model

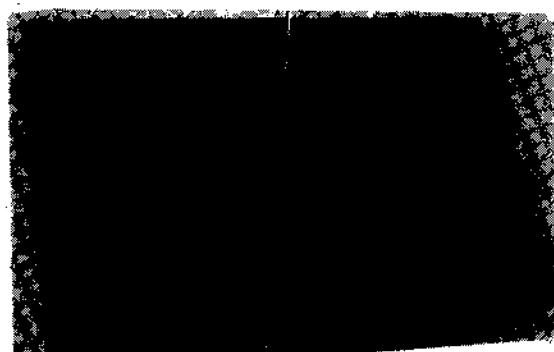
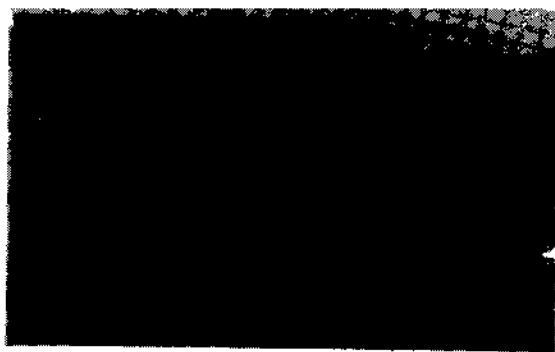


Fig. 2 Schematic diagram of sealing provision of the model (at the indicator)

The right bottom side of the indicator of the model has been sealed. A hole is made from the outer cover to the inner cover and fastens a leaded wire through the screw for stamping. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

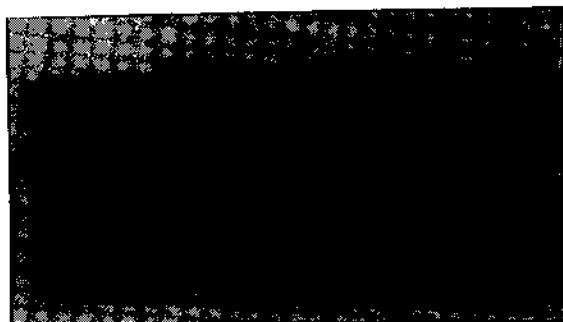
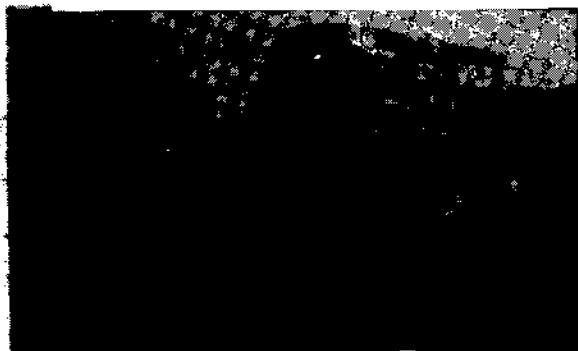
[F. No. WM-21 (277)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसंबर, 2008

का.आ. 195.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योगों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स श्री रम्यम टैक्नौ, 5, अरिहन्त कॉम्प्लैक्स, स्टेशन रोड, रायपुर, छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) जाले “डब्ल्यूडी-सीएस” शुंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेंड्रिज टाइप) के मॉडल का, जिसके ड्राइंग का नाम “जॉली” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/144 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेंड्रिज) है। इसकी अधिकतम धमक्का 30 टन है और न्यूनतम धमता 100 किंग्रा. है। सत्यापन मापमान अंतराल (ई) 5 किंग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शब्द अधिकारी अध्यक्षतामक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्वक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 250 बोर्ट और 50 हट्टर्ज प्रत्यावर्ती धारा विशुद्ध प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध छायाचार

इंडीकेटर में छेद बना कर इनमें से एक तार निकाल कर तार पर लीड सील से सीलिंग की जाती है। मॉडल को सीलर्वर करने का एक प्रकृष्टी योजनाबद्ध छायाचार उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह ज्ञापन करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शुंखला के दैसे ही देक, यथार्थता और कार्यपालन के सीलन उपकरण भी होने जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सीढ़ित 5. टन से 100 टन तक की अधिकतम धमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या सून्य के सम्मुच्चय हैं।

[फा. सं. डब्ल्यू एम-21(289)/2007]
आर. माधुराधम, विदेशक, विधिक माप विभाग

New Delhi, the 30th December, 2008

S.O. 195.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (weighbridge type) with digital indication of medium accuracy (Accuracy class-III) of series "WB-CS" and with brand name "LAXMI" (herein after referred to as the said model), manufactured by M/s. Shri Shyam Techno, 5, Arihant Complex, Station Road, Raipur, C. G. and which is assigned the approval mark IND/09/08/144;

The said model is a strain gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

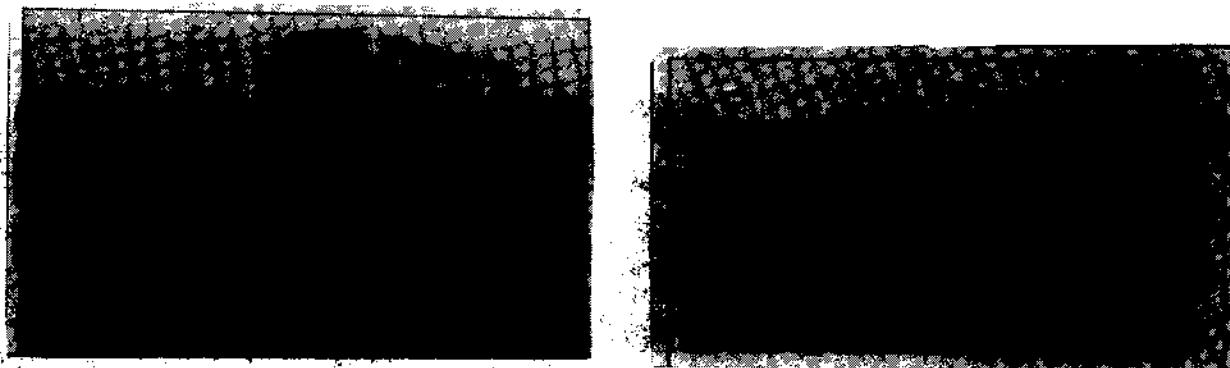


Fig. 2 Sealing arrangement

Sealing is done through the holes made in the indicator, then a wire is passed through these holes and the lead seal is applied on the wire. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (289)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 196.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पी-टैक स्केल्स, ई-98, संबंध कालोनी, सेक्टर-23, फरीदाबाद, हरियाणा द्वारा विनिर्मित भौत्यम यथार्थता (यथार्थता क्रम-III) घाले। “वी आर एन” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ग्रांड का नाम “वरुण” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे अनुमोदन विह आई एन डी/09/08/542 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शक्ति प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

स्टार्पिंग प्लेट को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए इस पर सीलिंग बिन्दु लगाया जाएगा। यह बिन्दु इंडिकेटर के ढांचे में होगा तथा इस बिन्दु के समायोजन के लिए ढांचे पर कोई छेद प्रदान नहीं किया जाएगा। इन छेदों के जरिए एक सील तार डाली जाएगी और इसे सीलबंद किया जाएगा। इंडिकेटर को सील तोड़े बिना खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रस्तुती योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से विकसित उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के दैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

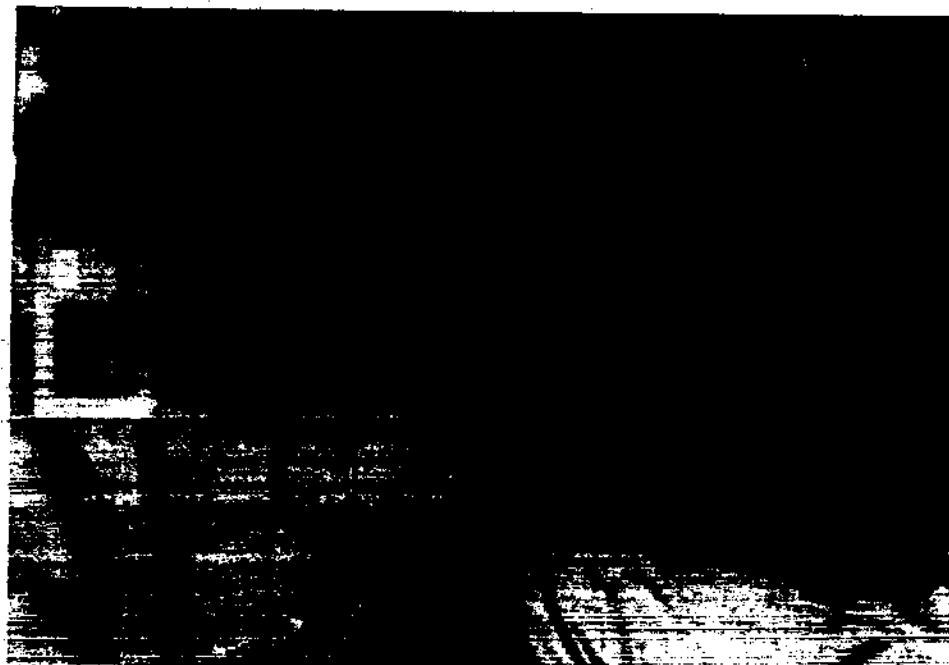
[फा. सं. डब्ल्यू एम-21(209)/2008]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 196.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "VRN" and with brand name "VARUN" (hereinafter referred to as the said model), manufactured by M/s. P-Tech Scales, E-98, Sanjay Colony, Sec-23, Faridabad, Haryana and which is assigned the approval mark IND/09/08/542;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200kg. and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Figure—2 Sealing provision of the indicator of model

Sealing point is affixed on the stamping plate to avoid fraudulent use. The pot is inside the body of the indicator and no hole is provided on the body for adjusting the post. A seal wire is passed through these holes and is sealed. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

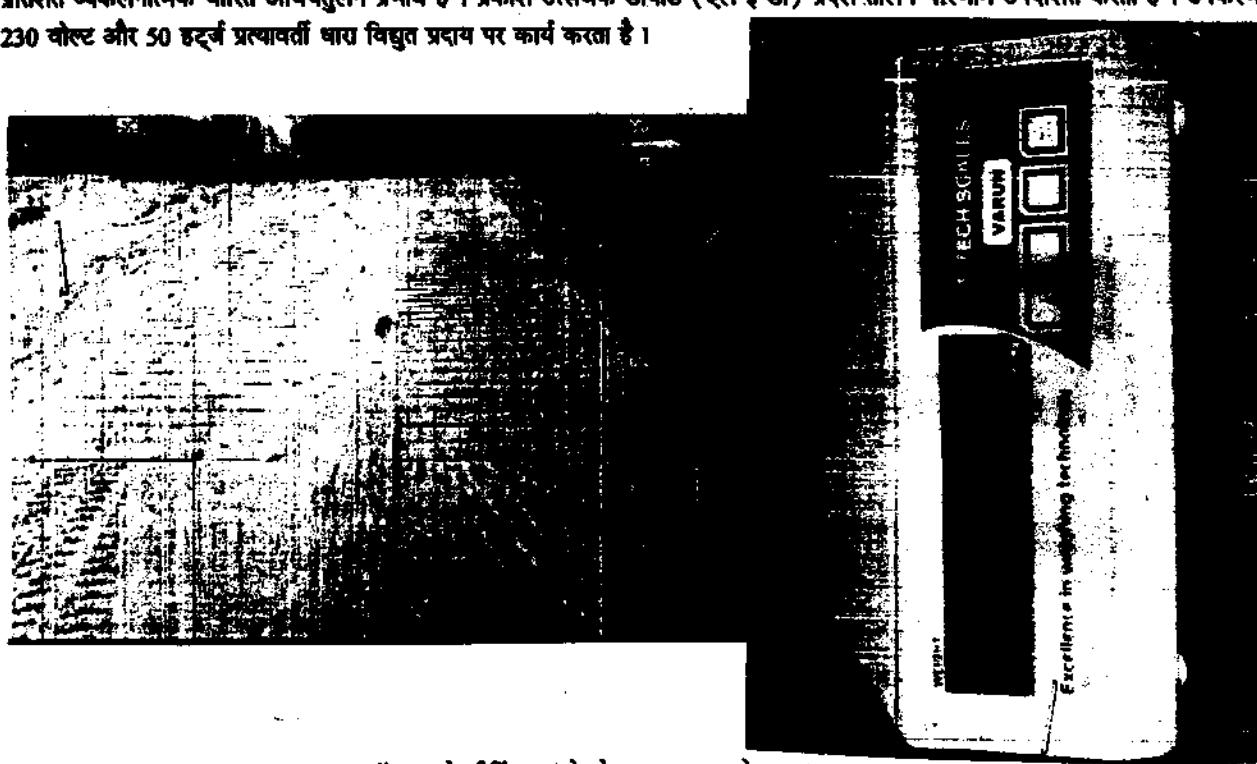
Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (209)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त तत्विकर्त्ता का प्रयोग करते हुए ऐसीसी पी-टैक स्केल्स, ई-98, संजय कालानी, सैक्टर-23, फरीदाबाद, हरियाणा द्वारा विनिर्भित मध्यम यार्डल (यार्डल यार्ड-III) द्वारा “यी आर डल्पू यी” शूलकसा के अंकक सूचन सहित अस्वाचालित तोलन उपकरण (वेबिज प्रकार) के मॉडल का, जिसके छांड का नाम “बरु” है (जिसे इसमें इसके परचात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन फी/09/08/543 समनुदेशित किया गया है, अनुमोदन प्रभेणप्र जारी करती है।

उक्त मॉडल एक विद्युत गेज प्रकार का घार सेल आधारित अस्वचालित तोलन उपकरण (वेलिज प्रकार) है। इसकी अधिकतम कमता 50 टन है और न्यूटनम कमता 100 कि. ग्रा. है। सत्यापन भागमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन मुक्ति है जिसका नात प्रतिरक्षण व्यक्तिगतिक भारित आधेयतुलन प्रभाव है। प्रकार उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन भरिणाम उपर्याप्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीरिंग करने के प्रावधान का योजनाबद्ध डायग्राम

स्ट्राइंग प्लेट को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए इस पर सीरिंग बिन्दु लगाया जाएगा। यह बिन्दु हॉफ्केटर के ढांचे में होगा तथा इस बिन्दु के समायोजन के लिए ढांचे पर कोई छेद प्रदान नहीं किया जाएगा। इन छेदों के जरिए एक सील तार ढाली जाएगी और इसे सीलबंद किया जाएगा। हॉफ्केटर को सील तोड़े बिना खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपर्युक्त का एक प्रस्तुती योजनाबद्ध ढायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की घार 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह बोध्या करती है कि उक्त मॉडल के अनुमेदन के इस प्राणपत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी स्थानी से विस्तृत उक्त अनुमेदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के लैसे ही मेक, व्यार्थांक और कार्यपालन के तोलन उपकरण भी होंगे जो 5 प्र. या उससे अधिक के “ई” मान के लिए 500 से 10,000 टक की रेंज में सत्यापन मापमान अंतर्गत (एन) सहित 5 टन से अधिक और 200 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या शृणात्मक पूर्णीक या शून्य के समानुम्मत हैं।

[फा. सं. दस्त्यु एम-21(209)/2008]

New Delhi, the 30th December, 2008

S.O. 197.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "VRWB" and with brand name "VARUN" (hereinafter referred to as the said model), manufactured by M/s. P-Tech Scales, E-98, Sanjay Colony, Sec-23, Faridabad, Haryana and which is assigned the approval mark IND/09/08/543.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 50 tonne and minimum capacity of 10kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1 Model

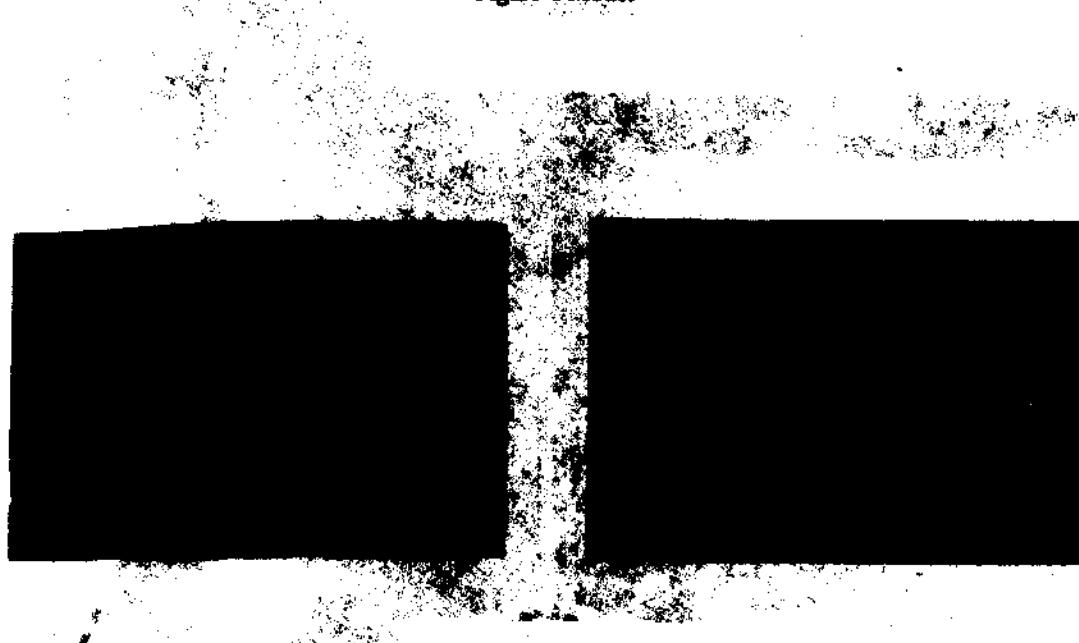


Fig. 2- Sealing provision of the indicator of the model

Sealing point is affixed on the stamping plate to avoid fraudulent use. The pot is inside the body of the indicator and no hole is provided on the body for adjusting the pot. A seal wire is passed through these holes and is sealed. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (209)/2008]

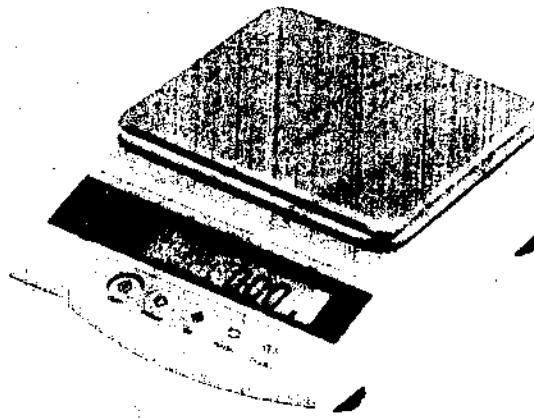
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 198.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुहम हैं और इस बात की संमावना है कि संगतार प्रयोग की अवधि में भी उक्त मॉडल व्यार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स शिको डेनशी कंपनी लिमिटेड, # 3-9-11, युशिमाह, बुन्क्यो-केबु, टोक्यो-110 034, जापान द्वारा विनिर्मित विशेष व्यार्थता (व्यार्थता वर्ग-1) वाले “ए जे” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके भाँड़ का नाम “विक्री” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एस-टैराओका लि, नं. 377/22, छिंजा क्रास, विल्सन गार्डन, बैंगलोर-560 027 द्वारा भारत में विक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विषयीत किया गया है और जिसे अनुमोदन विह आई एन डी/09/08/172 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलेक्ट्रो द्वयूनिग फोर्म टेक्नोलॉजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 3200 ग्रा. है और न्यूनतम क्षमता 1ग्रा. है। सत्यापन मापमान अंतराल (ई) 10मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका तत्त्व प्रतिलिपि व्यक्तिनामक धारित आधेयतुलन प्रभाव है। बेक्सिट लिमिटेड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

उपकरण में प्रदान किए गए छेदों के जारिये सीसा और तार को बांध कर सीलबंद किया जाता है। उपकरण को सील तोड़े बिना खोला नहीं जा सकता है। मॉडल को सीलबंद करने के उपर्योग का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, व्यार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1मि. ग्रा. या इससे अधिक के “ई” मान के लिए $50,000$ या ऊपर तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 220 ग्रा. से 12000 ग्रा. तक की क्षमता के बराबर वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या शृंखला के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(80)/2008]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 198.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table-top Type) with digital indication of special accuracy (Accuracy class-I) of series "AJ" and with brand name "VIBRA" (hereinafter referred to as the said model), manufactured by M/s. Shinko Denshi Co. Ltd., # 3-9-11, Yushima, Bunkyo-KU, Tokyo-110 034, Japan and marketed in India without any alteration before or after sale by M/s. Essae-Teraoka Limited, No. 377/22, 6th Cross, Wilson Garden, Bangalore-560 027 and which is assigned the approval mark IND/09/08/172.

The said model is a Electro tuning fork technology based non-automatic weighing instrument with a maximum capacity of 3200g and minimum capacity of 1g. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hz alternative current power supply..

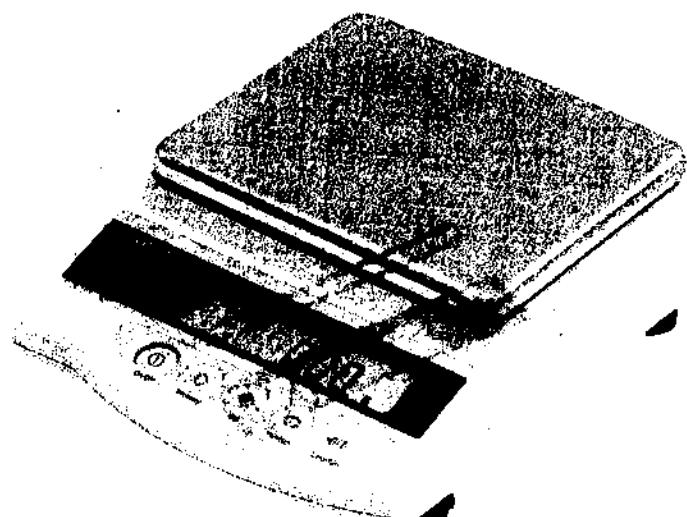


Fig. 2- Schematic diagram of the model

The instrument is sealed by means of lead and wire fastened through the holes provided in the instrument. The instrument can not be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy, and performance of same series with capacities comprising of 220g to 12000g with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (80)/2008]

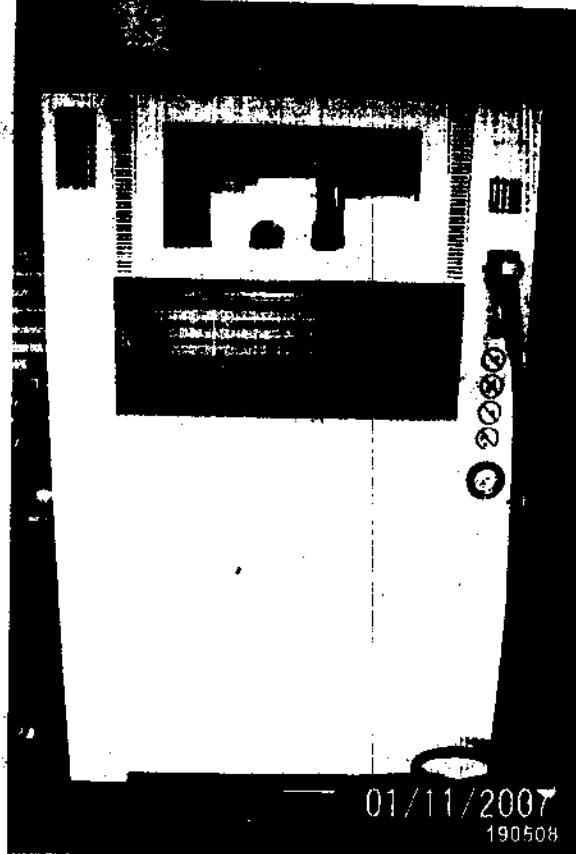
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 199.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट और इस उद्देश्य के लिए जर्मनी में अधिसूचित निकाय, पी टी बी, जर्मनी द्वारा अनुमोदित और स्वीकृत परिणामों और पैटर्न मूल्यांकन रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की उपधारा (3) के परन्तुक और धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शब्दार्थों का प्रयोग करते हुए मैसर्स EMGAZ Sp. Z.o.o. ul, Stawowa 71, 43-400 Cieszyn, Poland द्वारा विनिर्दित यथार्थता वर्ग 1.0 वाले “Dragon 5, Dragon 10, Dragon and Duplex” शुंखला के लिकिन्ड पेट्रोलियम गैस डिस्पेंसर (पानी के अलावा अन्य द्रव्यों के लिए मीटर) के मॉडल का, जिसके ब्रांड का नाम “EMGAZ SP.” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) जिसे मैसर्स नारायण आटो गैस, प्लाट नं. 5-10, Sy नं. 9/3, O/s अकोलोल आबद्दाय पोस्ट, फलसार, भावनगर, राजकोट रोड, भावनगर, (गुजरात) द्वारा भारत में बिक्री से पूर्व या पश्चात् बिना किसी परिवर्तन के विषयीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/08/435 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक एल पी जी डिस्पेंसर है जो पिस्टल भराव और इलैक्ट्रोनिक्स के सिद्धांत पर कार्य करता है। जिसे मैकेनिकल वाहन को पुनः भरने के लिए प्रोपेन ब्यूटेन लिकिन्फाइड गैस और अन्य मिश्रण के वितरण के लिए डिजाइन किया गया है। इसमें मापन ट्रांसह्यूसर, पल्स सेसर, गैस सेपरेटर, इलैक्ट्रोनिक इंडिकेटर आदि सम्मिलित हैं। लिकिन्ड क्रिस्टल डायोड (एलसीडी) प्रकाश उत्सर्जक डायोड (एल ई डी) प्रकार का प्रदर्शन है और मूल्य आयत और बेसिक मूल्य के लिए प्रिसेट सुविधा है। इसकी अधिकतम प्रवाह दर रेंज 60 लिटर/मिनट और न्यूनतम प्रवाहदर 6 लिटर/मिनट है। न्यूनतम माप 5 लिटर है। परिचालन तापमान की रेंज -40° से $+55^{\circ}$ सें. है और अधिकतम प्रचालन दर $+25$ बार है।



स्टाम्पिंग स्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जान से रोकने के लिए भी सीलबंद किया जाएगा। और मॉडल को उसकी सापड़ी, यथार्थता, डिजाइन, सर्किट डायग्राम कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा। मॉडल सीलिंग व्यवस्था को स्कीमवार डायग्राम ऊपर दिया गया है।

[फा. सं. डब्ल्यू एम-21(306)/2007]
आर. माधुरुद्धम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 199.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the pattern evaluation report and also the test report and the test results granted and approved by the PTB, Germany, a notified body for the purpose in the Germany, is satisfied that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of Liquid Petroleum Gas Dispenser (Meter for liquids other than water) of accuracy class 1.0 and with brandname "EMGAZ Sp. of series Dragon 5, Dragon 10, Dragon and Duplex" (hereinafter referred to as the model), manufactured by M/s. EMGAZ Sp. Z.o.o, ul, Stawowa 71, 43-400 Cieszyn, Poland and imported & marketed in India without any alteration before or after sale by M/s. Narayan Auto Gas, Plot No. 5-10, Sy No. 9/3, O/s. Akholol Octroi Post, Pulsar, Bhavnagar-Rajkot Road, Bhavnagar (Gujarat) and which is assigned the approval mark IND/13/08/435.

The said model is a Liquid Petroleum Gas dispenser working on the principle of piston filling and electronics and is designed to deliver liquefied petroleum gas and other mixture for refuel the mechanical vehicle. It consists of measurement transducer, pulse sensor, gas separator, electronic indicator etc. Liquid Crystal Diode (LCD) or light Emitting Diode (LED) display or electromechanical system showing volume, total price and unit price. Its maximum flow rate range 60 liter/minute and minimum flow rate is 6 liter/minute. The least measurement is 5 liter. The operating temperature range is from -40°C to +55°C and the maximum operating pressure is +25 bar.

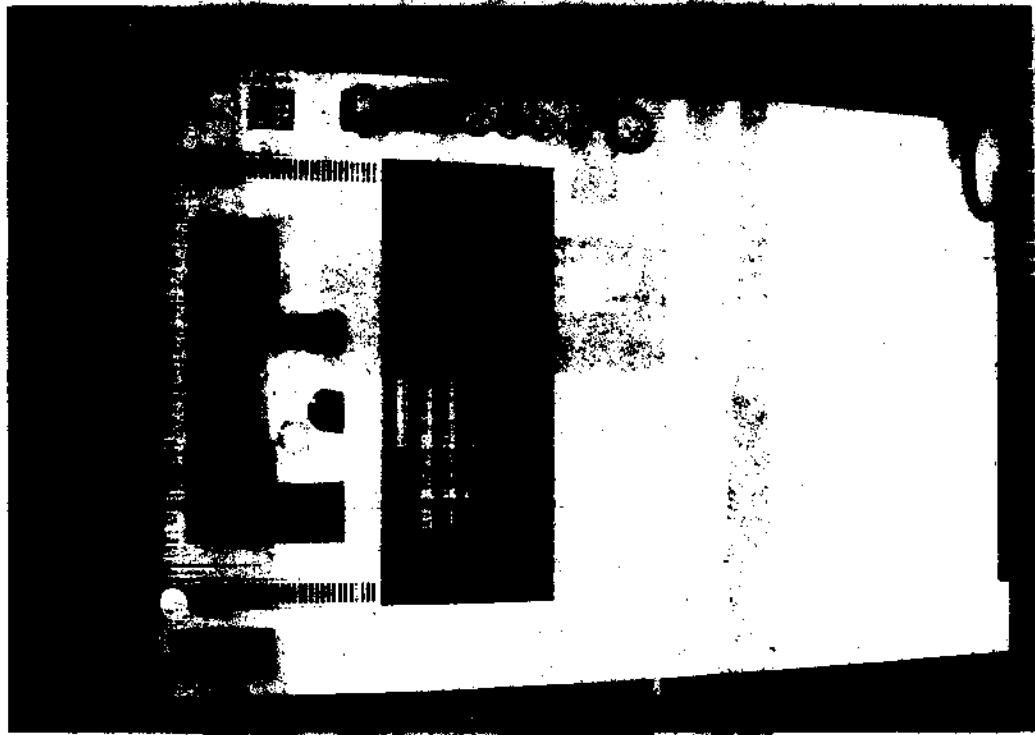


Figure 2- Schematic arrangement of sealing arrangement

The sealing shall be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. A typical schematic diagram of the sealing arrangement of the model has been given below.

[F. No. WM-21 (306)/2007]

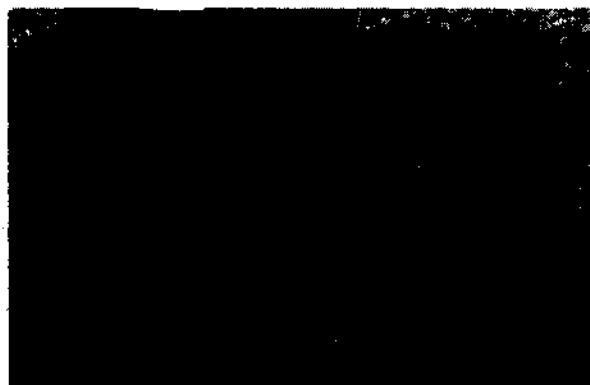
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसंबर, 2008

का.आ. 200.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में विविध मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न विविधताओं में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसम पर्यावरण सेल्स कार्पोरेशन, जी-1/95, दिको इंडस्ट्रियल एरिया, कालांडरा, जयपुर, राजस्थान द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आर डब्ल्यू एम" शून्खला के एनालाग सूचन सहित अस्वचालित तोलन उपकरण (वेब्रिज स्टील यार्ड टाइप) के माडल का, जिसके ग्रांड कल नाम "रेडीव्हे" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/142 समनुदर्शित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज-स्टील यार्ड टाइप) एनालाग सूचन सहित है। इसकी अधिकतम क्षमता 40 टन है और न्यूलतम क्षमता 100 कि. ग्रा. है और मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) से सम्बन्धित है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है।



यशीन की सीरिंग के अतिरिक्त स्टीलयार्ड के एक अंतिम सीरे पर लीड सील लगाई जाती है जिसे स्टीलयार्ड के फोटोग्राफ में दिखाया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शून्खला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से ऊपर और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के सम्मुख्य हैं।

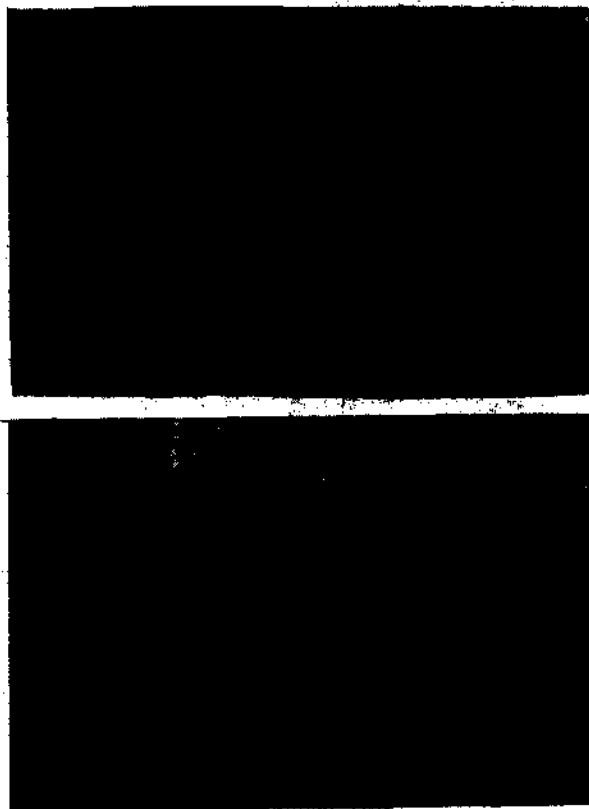
[का.सं. डब्ल्यू एम-21(65)/2008]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 200.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Weighbridge-Steel yard type) with analogue indication (hereinafter referred to as the said model) belonging to medium accuracy class (Accuracy class-III) and "RWM" series with brand name "READYWEIGH", manufactured by M/s. Aveready Sales Corporation, G-1/95, RIICO Ind. Area, Kaladera, Jaipur, Rajasthan and which is assigned the approval mark IND/09/08/142.

The said model is a Mechanical lever based non-automatic weighing instrument (Weighbridge-Steelyard type) with analogue indication of maximum capacity 40 tonne, minimum capacity 100 kg. and belonging to medium accuracy class (accuracy class-III). The value of verification scale interval 'e' is 5kg.



In addition to sealing the machine lead seal is affixed on the steelyard at one end which is visible in the photograph of the steelyard.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (65)/2008]

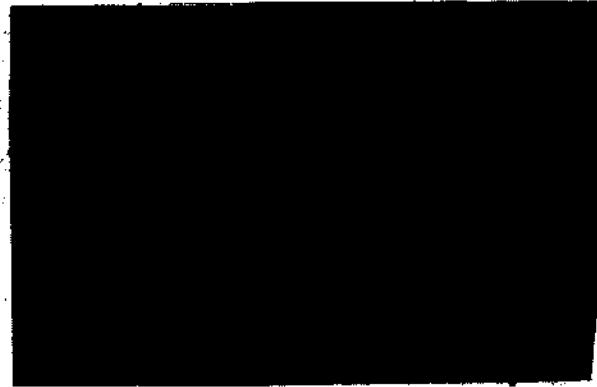
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 201.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्व एवरेडी सेल्स कार्पोरेशन, जी-1/95, रिको इंडिस्ट्रियल परिया, कालाडेरा, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “आर डब्ल्यू ई” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेल्विज टाइप) के मॉडल का नाम “रेडीएक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/143 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत रेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेल्विज टाइप) है। इसकी अधिकतम शक्ति 50 टन है। और न्यूनतम शक्ति 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शक्ति प्रतिशत व्यवकलनशक्ति धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



पेच के शीर्ष छेद में से स्टील वायर कर वायर के दोनों सिरों को लीड पीस से जोड़ कर मशीन को सील किया जाता है। सील तोड़े बिना मशीन को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक जी अधिकतम शक्ति वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

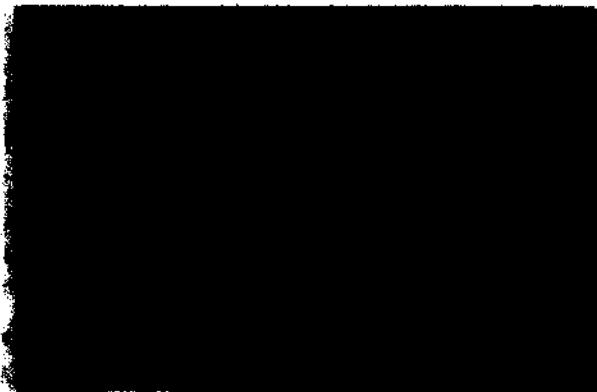
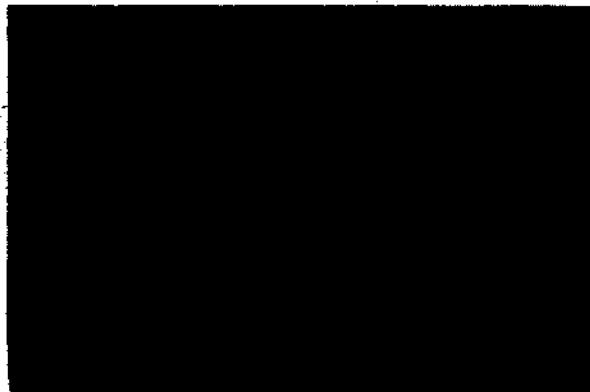
[फ. सं. डब्ल्यू एम-21(65)/2008]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 201.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of high accuracy (Accuracy class-II) of series "RWE" and with brand name "READYWEIGH", manufactured by M/s. Averady Sales Corporation, G-1/95, RIICO Ind. Area, Kaladera, Jaipur, Rajasthan and which is assigned the approval mark IND/09/08/143;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



For sealing the machine a steel wire is used through the head hole of the screw and joins both ends of the wire with the help of lead piece. The machine can not be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 200 tonne with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50 mg and 5g or more and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (65)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 202.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विवाद करने के पश्चात् यह समझान को देता है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि संगतार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए एंड डी कम्पनी लिमिटेड, 3-23-14 हिंदूसी-इकेबुकुरो, तोसिमा-फू, टोको-170 0013, जापान द्वारा विनिर्मित विवेच यथार्थता (यथार्थता वर्ग-I) वाले “जी आर” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेक्सलटाप प्रकार) को अंडल बा. विसर्वे जांड का नाम “ए एंड डी कम्पनी लिमिटेड” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ए एंड डी विवेच सिस्टम सि. 15, बी बिंग, दूसरा तल, कमल कुंज, मेहा एच एस जी सोसायटी, एस बी रोड, अंधेरी (वेस्ट), मुम्बई-400 058 महाराष्ट्र द्वारा भारत में किंवा से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है और जिसे अनुमोदन यह आई एन डी/09/07/405 समन्वेति किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेनसेशन प्रिसीपल पर आधारित अस्वचालित तोलन उपकरण है। इसकी अविवालतम क्षमता 210 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है और मापमान अंतराल 0.1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शाम प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिविंग विस्ट्रिल डाकोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। ड्रॉपल्ट 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदान करने का कारबन है।



उपकरण में छेद करके, स्टाम्पिंग स्लेट में छेदों के माध्यम से सील तार निकालकर सीरिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्रस्तुपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से विसर्वे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी हाँग जो 1 मि.ग्रा. या उससे अधिक के “ई” भान के लिए 50,000 या इससे अधिक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 मि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” भान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के सम्मुख्य हैं।

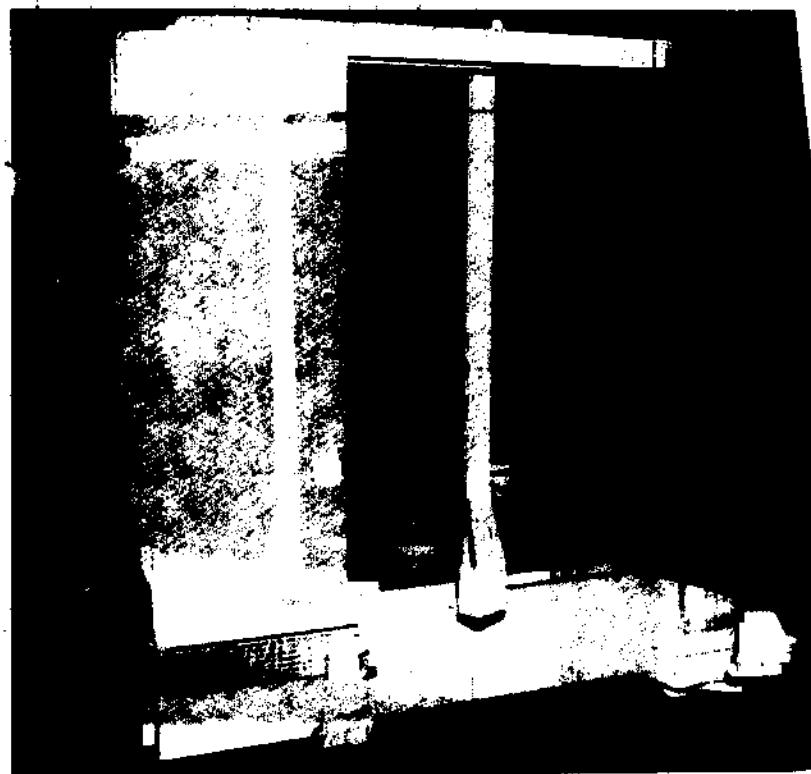
[फा. सं. इस्ट्यू एम-21(231)/2007]
आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 202.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of special accuracy (Accuracy class-I) of series "GR" and with brand name "A & D Company Limited" (hereinafter referred to as the said model), manufactured by M/s. A & D Company Ltd., 3-23-14 Highashi-Ikebukuro, Toshima-ku, Tokyo-1700013, Japan and marketed in India without any alteration before or after sale by M/s. Avon Weighing Systems Ltd., 15, 'B' Wing, Kamal Kunj, Megha HSG Soc., S. V. Road, Andheri (W), Mumbai-400 058, Maharashtra and which is assigned the approval mark IND/09/07/405;

The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with the maximum capacity of 210g, and minimum capacity of 100mg. The verification scale interval (e) is 1mg, and scale interval is 0.1mg. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.



Sealing is done by drilling holes in the body of the instrument and passing a seal wire through the holes in the stamping plate. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg, with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (231)/2007]

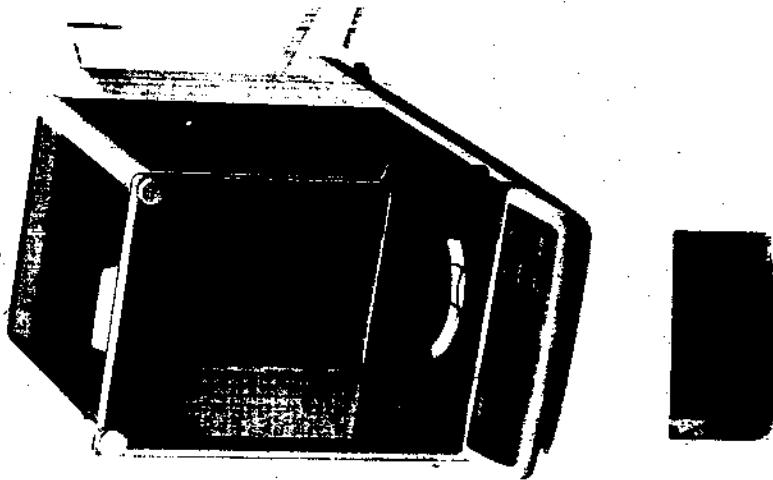
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 203.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए एंड डी कंपनी लिमिटेड, 3-23-14 हिंदूसी-इकेबुकुरो, तोशिमा-कु, टोक्यो-1700013, जापान द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले “एच आर” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ए एंड डी कंपनी लिमिटेड” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एवन बेइंग सिस्टम्स लि., 15, बी विंग, दूसरा तल, कमल कुंज, मेघा एच एस जी सोसायटी, एस बी रोड, अंधेरी (वेस्ट), मुंबई-400058 महाराष्ट्र द्वारा भारत में विक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/07/406 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेनेशन प्रिंसिपल पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 210 ग्रा. है और न्यूनतम क्षमता 100 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है और मापमान अन्तराल 0.1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिकिड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

उपकरण में छेद करके, स्टार्मिंग प्लैट में छेदों के माध्यम से सील तार निकाल कर सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 को उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के “ई” मान के लिए $50,000$ या उससे अधिक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(231)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 203.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of special accuracy (Accuracy class-I) of series "HR" and with brand name "A & D Company Limited" (hereinafter referred to as the said model), manufactured by M/s. A & D Company Ltd., 3-23-14 Highasi-Ikebukuro Toshima-ku, Tokyo-1700013, Japan and marketed in India without any alteration before or after sale by M/s. Avon Weighing Systems Ltd., 15, 'B' Wing, Kamal Kunj, Megha HSG Soc., S.V. Road, Andheri (W), Mumbai-400058, Maharashtra and which is assigned the approval mark IND/09/07/406;

The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 210g. and minimum capacity of 100mg. The verification scale interval (e) is 1mg. and scale interval is 0.1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

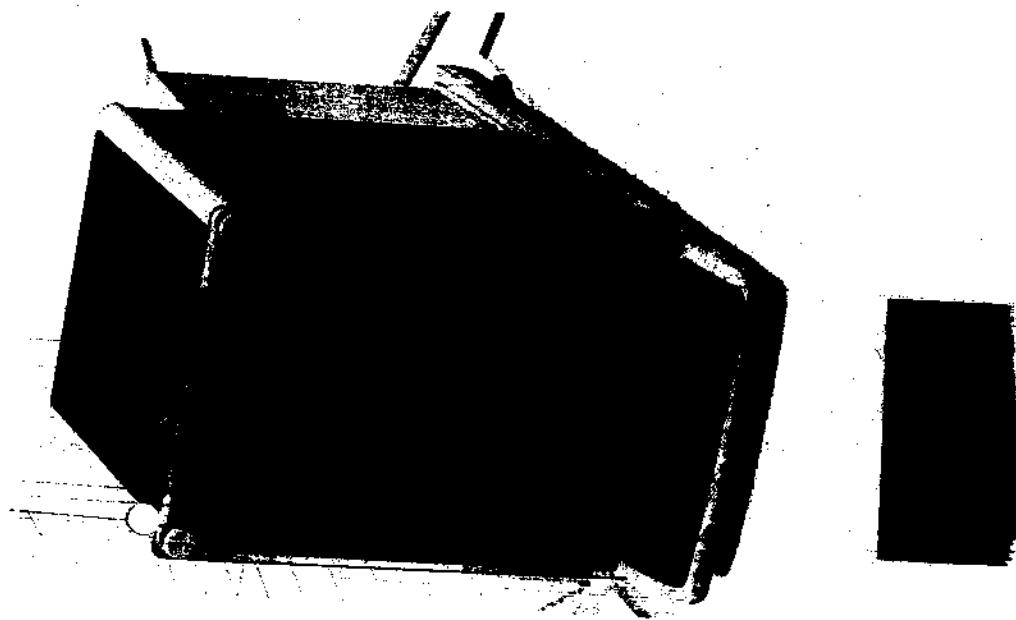


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done by drilling holes in the body of the instrument and passing a seal wire through the holes in the stamping plate. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where 'k' is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

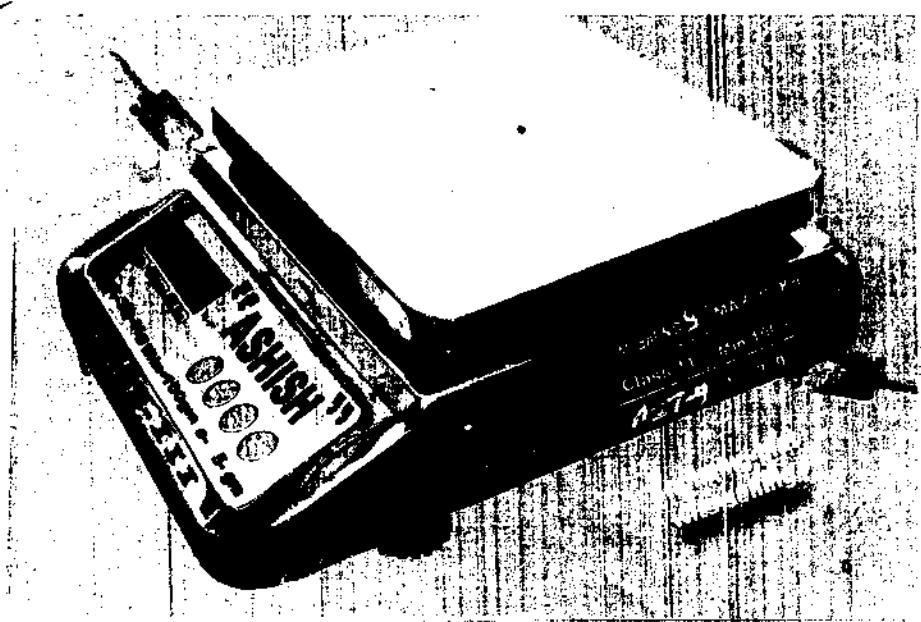
[F. No. WM-21 (231)/2007]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 204.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए ऐसर्स एडज्व इंस्ट्रुमेंट, मनी शाई स्ट्रीट, कन्या हाई स्कूल के पास, सावरकुण्डा-364515, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एआईटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ग्रांड का नाम "आशिश" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/08/571 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ए) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत अवधारणात्मक धारित आधेयतुलन प्रमाण है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 250 वोल्ट्स और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

तोलन उपकरण के इंडिकेटर को दो तरफ से सीलबंद किया जाता है। पहली सीलिंग में गुंथित इस्पात तार को स्टाइमिंग प्लेट, केबिनेट डांचे के छेदों के जरिए तथा बाद में पिछली साइड प्लेट के जरिये तार को ढाला जाता है तथा उसके बाद सीलबंद किया जाता है। दूसरी साइड में, गुंथित तार को केबिनेट डांचे और पिछली साइड प्लेट के जरिए ढाला जाता है और बाद में सीलबंद किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्रस्तुपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैस ही मेंक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डल्लू एम-21(169)/2008]
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 204.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "AIT" series of medium accuracy (Accuracy class-III) and with brand name "ASHISH" (hereinafter referred to as the said model), manufactured by M/s. Arise Industries, Manee Bhai Street, Near Kanya High School, Savarkundala-364515, Gujarat and which is assigned the approval mark IND/09/08/571;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Figure-2 Sealing diagram of the model

Sealing is done at the two sides of the weighing instrument. In the first sealing, twisted steel wire is passed through holes of the stamping plate, cabinet body and lastly through backside plate and then sealed. In the second side, twisted wire is passed through cabinet body and backside plate and then sealed. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where 'k' is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

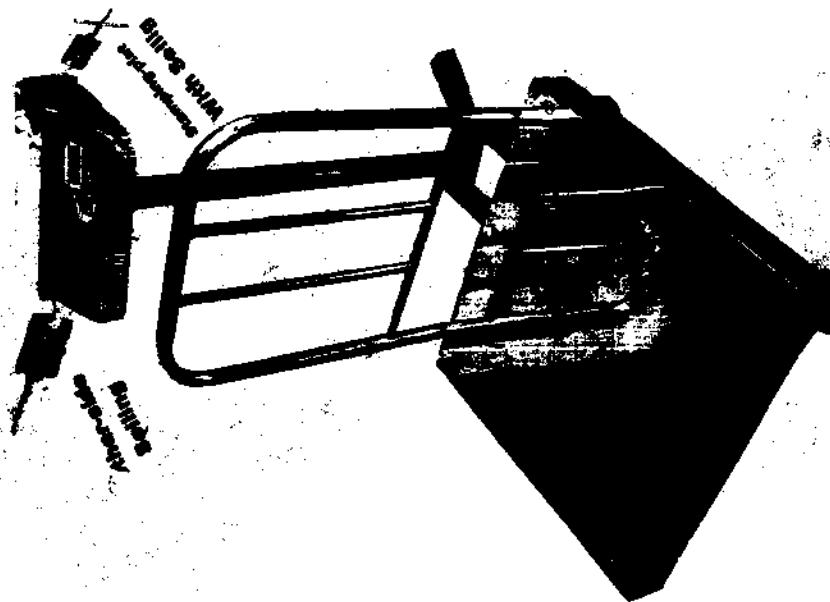
[F. No. WM-21 (169)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 205.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्बाधन हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर से एराइक ईडिस्ट्रीज, मनी भाई स्ट्रीट, कन्या हाई स्कूल के पास, सावरकुण्डला-364515, गुजरात द्वारा विनिर्मित भव्य यथार्थता (यथार्थता वर्ग-III) वाले “एआईपी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके डांड का भाग “आशिश” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/08/572 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 250 वोल्ट 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

तोलन उपकरण के ईंडिकेटर को दो तरफ से सीलबंद किया जाता है। पहली सीलिंग में गुणित इस्पात तार को स्टाइंपिंग प्लेट, केबिनेट डांचे के छेदों के बरिए तथा बाद में पिछली साइड प्लेट के जरिये तार को डाला जाता है तथा उसके बाद सीलबंद किया जाता है। दूसरी साइड में, गुणित तार को केबिनेट डांचे और पिछली साइड प्लेट के जरिए डाला जाता है और बाद में सीलबंद किया जाता है। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मैक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(169)/2008]
आर. माथुरखूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 205.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "AIP" and with brand name "ASHISH" (hereinafter referred to as the said model), manufactured by M/s. Arise Industries, Manee Bhai Street, Near Kanya High School, Savarkundla-364515, Gujarat and which is assigned the approval mark IND/09/08/572;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500kg. and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

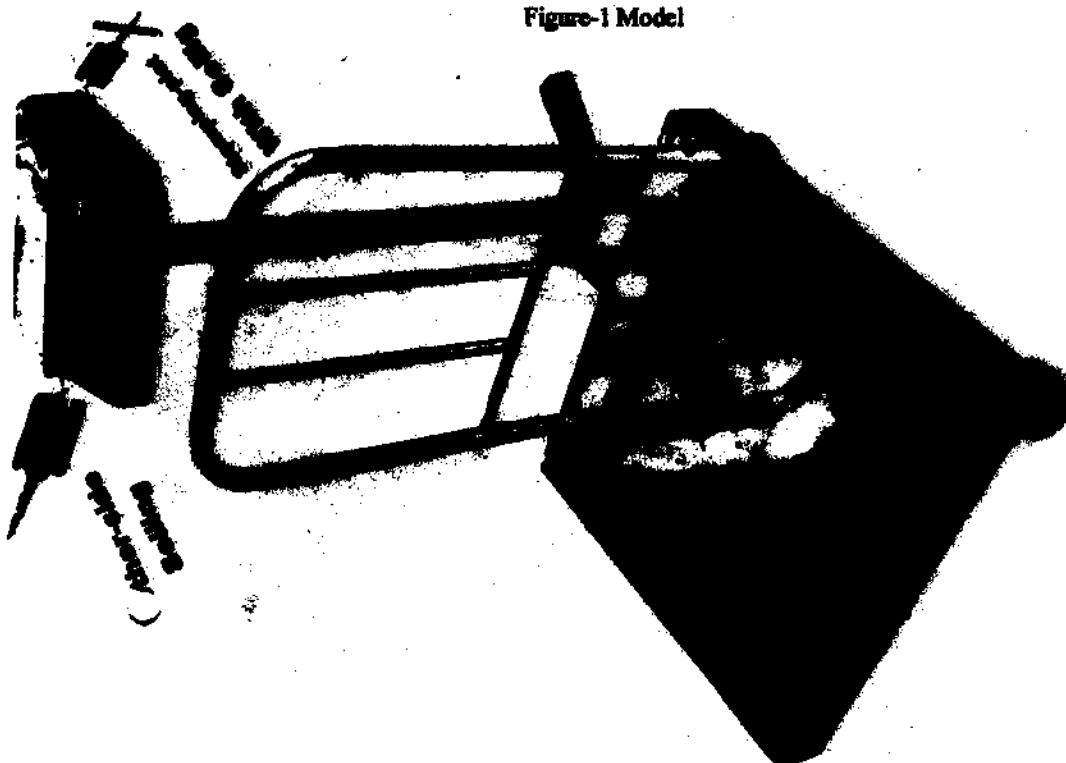


Figure-2 Sealing provision of the indicator of model

Sealing is done at the two sides of the indicator of the weighing instrument. In the first sealing, twisted steel wire is passed through holes of the stamping plate, cabinet body and lastly through backside plate and then sealed. In the second side, twisted wire is passed through cabinet body and backside plate and then sealed. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 3×10^k , where 'k' is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

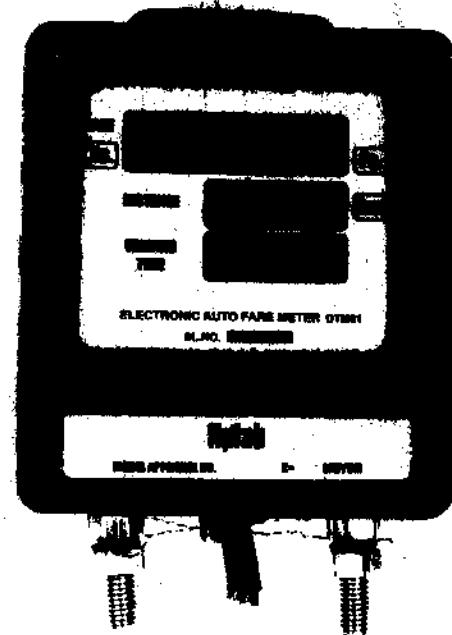
[F. No. WM-21 (169)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

कां.आ. 206.—केन्द्रीय सरकार का, विहित प्राथिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्मानित हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे सी गई आकृति देखो) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बट और आप नामक (मॉडलों का अनुपोदेन) नियम, 1987 के उपर्योग के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की दृष्टि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदेश करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त इकाइयों का प्रबोग करते हुए फैसले एकलब लिमिटेड, अपलब हाउस, ए-5, वागले इंडस्ट्रियल एस्टेट, धारे-400604 द्वारा विशिष्ट “डी टी एम-01” शृंखला के अंकत सूचन सहित “डिजीटल टैक्सी/आटो फेयर मीटर (फ्लेंग टाइप)” के मॉडल का, जिसके ब्रांड का नाम “एसलब” है (जिसे इसमें इसके चलाक उक्त मॉडल कहा गया है) जिसे अनुमोदन चिह्न आई एन डी/09/08/213 समन्वेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त भौद्धत "डिजीटल ट्रैकसी/आटो फेयर मीटर (प्लेट टाइप)" दूरी और समय यापने वाली डेवाइस के साथ लगे अंकक सूचन सहित ट्रैकसी मीटर का भौद्धत है। यह मीटर लगातार योग करता जाता है और यात्री द्वारा देय भावे को यात्रा के दौरान किसी भी समय दर्शाया है। देय यात्रा भावा के दौरान एक निश्चित निर्धारित स्पीड से ऊपर एवं निर्धारित स्पीड से कम पर अवृत्ति किए गए समय के दौरान तब वही गहरे दूरी की प्रक्रिया है। मीटर की रिफिंग लाइट इमीटिंग डायोड (एल ई डी) द्वारा दर्शायी जाती है। उपकरण का फैक्टर 'के' 1300 प्लसेस प्रति रिफिंग मीटर पर चलता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

हेद बना कर और इनमें से सील वायर निकाल कर, तार के जोड़ों पर लौड़ सील से सीलबंद की जाती है। सील तोड़े जिना किसी भी मीटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने का एक प्रूफपी योजनाबद्ध धायग्राम उपरोक्त दिया गया है।

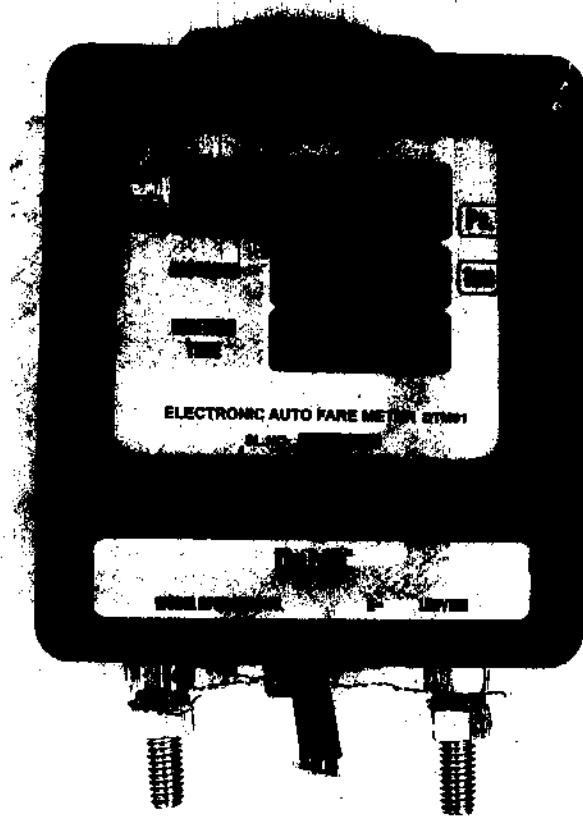
[फा. सं. छस्यू एम-21(95)/2008]

New Delhi, the 31st December, 2008

S.O. 206.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of "Digital Taxi/Auto Fare Meter (flag type) with digital indication (hereinafter referred to as the said model), of "DTM-01" series with brand name "APLAB" manufactured by M/s. Aplab Limited, Aplab House, A-5, Wagle Industrial Estate, Thane-400604 and which is assigned the approval mark IND/09/08/213;

The said model of "Digital Taxi/Auto Fare Meter (flag type)" a measuring instrument with totalizes continuously and indicate the fare, at any moment of journey, the charges payable by the passenger of a public vehicle as function of the distance traveled, and below a certain speed on the length of the time taken; this being independent of supplementary charges according to the authorized tariffs. The reading of the meter is indicated by Light Emitting Diode (LED). The 'K' factor of the Taxi meter is 1360 pulses per kilometer.



APLAB Digital Auto/Taxi Meter
Model No.DTM01

Figure-2 Sealing diagram of the sealing provision of the model

Sealing is done by making the holes and passing a seal wire through these holes, and then a lead seal is applied on the joint of the wire. Fare meter can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

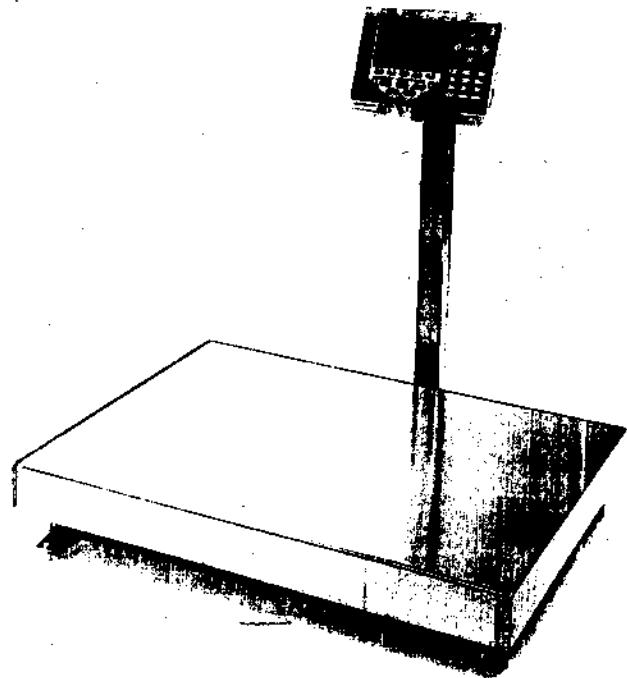
[F. No. WM-21 (95)/2008]
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 207.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह सम्मान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि समातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स राइक लेक बैंग सिस्टम, 230 डब्ल्यू, कोलेमन स्ट्रीट, राईस लेक, W1-54868 USA द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "920 i" शृंखला के अंकक सूचन सहित, अस्वाधालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांच का नाम "REED MEDWAY-RICE LAKE" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स रिड बिंडल बैंगिंग कं. आफ इंडिया लि., प्लाट नं. 5 ई, सेक्टर-4, अस्सीभगड़ हरियाणा-121004 द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन.डी/09/2008/284 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वाधालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्लनात्मक धारित आधेयतुलन प्रभाव है। लिविंग क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इंडिकेटर के बांधी तरफ सील करने के लिए नट और बोल्ट में दो छेद किए जाते हैं और सत्यापन स्टाम्प और सील प्राप्त करने के लिए सीसायुक्त तार से बांधा जाता है। इंडिकेटर को सील तोड़े बिना खोला नहीं जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही येक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या शून्य के सम्मुख्य हैं।

[फा. सं. डब्ल्यू एम-21(126)/2008]
आर. माथुरबूधम, निदेशक, विधिक भाषा विज्ञान

New Delhi, the 31st December, 2008

S.O. 207.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "920 j" series of medium accuracy (Accuracy class-III) and with brand name "REED MEDWAY-RICE LAKE" (hereinafter referred to as the said model), manufactured by M/s. Rice Lake Weighing Systems, 230W, Coleman Street, Rice Lake, WI-54868, USA and marketed in India without any alteration before or after sale by M/s. Reed Medway Packaging Co. of India Private Ltd., Plot No. 5E, Sector-4, Ballabhgarh, Haryana-121004 and which is assigned the approval mark IND/09/08/284;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

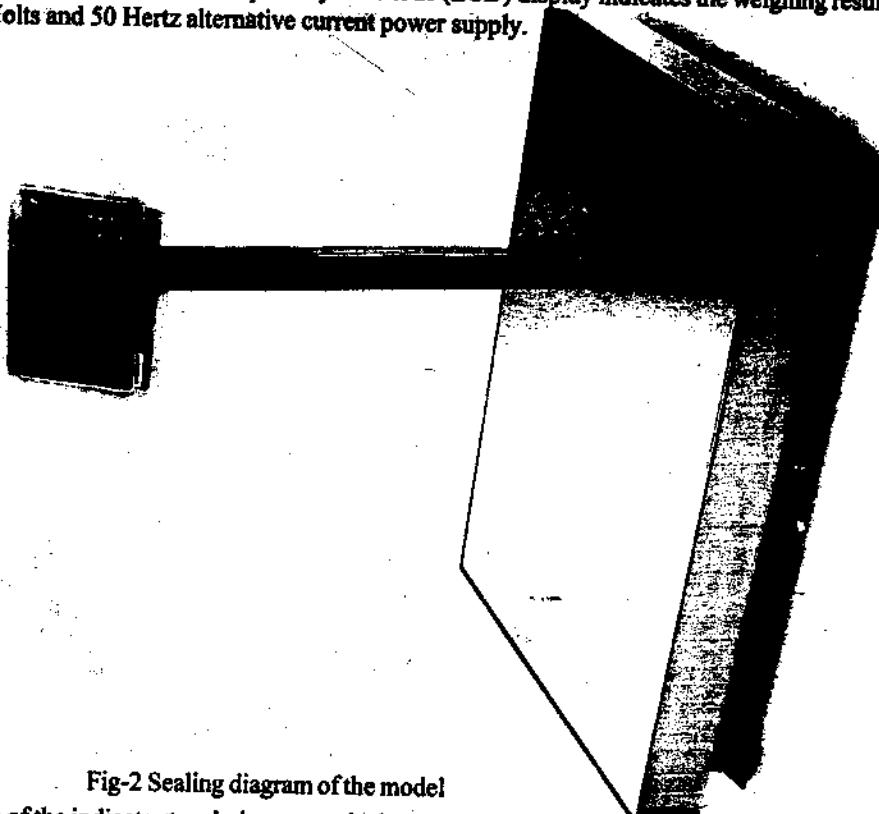


Fig-2 Sealing diagram of the model

For sealing on the left side of the indicator two holes are made through the nuts and bolts and fastened by a leaded wire for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where 'k' is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (126)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 20 जनवरी, 2009

का. आ. 208.—मारत सरकार के पेट्रोलियम और स्थानिक पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में मारत के पेट्रोलियम और प्राकृतिक गैस मंत्रालय गुजरात राज्य में मैसर्स गेल (इण्डिया) लिमिटेड द्वारा पाइपलाइन बिछाने के लिये उक्त अधिनियम के अधीन संलग्न सूची के कॉलम (1) में वर्णित व्यक्ति को सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त करती है।

अनुसूची

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री डॉ. के. बरिया	
सहायक कमीशनर,	सम्पूर्ण गुजरात राज्य
मैसर्स गेल (इण्डिया) लिमिटेड में,	
मानदेय के आधार पर	
सरदार सरोवर पुनरवासवत एजेंसी,	
लैंड सैल, वडोदरा,	
गुजरात राज्य	

[फा. सं. एल-14014/20/05-जी. पी.]

के. के. शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 20th January, 2009

S.O. 208.—Whereas, in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby authorizes the person mentioned in column (1) of the schedule given below to perform the functions of the Competent Authority in Gujarat State under the said Act for laying pipelines by the said M/s. GAIL (India) Limited in the area mentioned in column (2) of the said schedule.

SCHEDULE

Name and Address of the person	Area of Jurisdiction
Shri D. K. Bariya, Assistant Commissioner, On honorarium basis to M/s. GAIL (India) Limited, Sardar Sarovar Purnavasavat Agency, (Land Cell), Vadodara, Gujarat State	Whole State of Gujarat

[F. No. L-14014/20/05-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 22 जनवरी, 2009

का. आ. 209.—मारत सरकार के पेट्रोलियम और स्थानिक पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत

सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा पुड़चेरी युनियन टैटीटोरी में वैद्यार्ह से कराईकल क्लोटेस पाइपलाइन परियोजना के माध्यम से प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 11-11-2008 से 17-11-2008 तक उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के संबंध में निर्धारित अवधि में जनता से कोई आक्षेप प्राप्त नहीं हुए;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, भारत सरकार में निहित होने के बाजे, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित, निवंधनों और शर्तों के अधीन रहते हुए, सभी वित्तीयों से मुक्त, गेल (इण्डिया) लिमिटेड द्वारा निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्व. नं.	क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
कराइकल	धिरुनल्लासार	15, मेलाकासाकुडी	32-1	0.21.0
			31-3	0.01.5
			37-1	0.01.5
			37-2	0.21.0
			37-3	0.09.0
			38-9	0.02.0
			39-1	0.14.0
			39-5	0.01.0 जी. पी.
			57-4	0.03.0
			55-1	0.11.0
			55-2	0.05.0
			54-1	0.01.5 जी. पी.
			54-2	0.15.5
			162-1	0.01.0 जी. पी.
			162-2	0.58.0

1	2	3	4	5
कराकल थिरुनल्लार		15,	167-1	0.01. जी. पी.
मेलकासकूदी		167-2	0.09.5	
		167-3	0.04.0	
		168-1	0.04.5	
		168-2	0.03.5	
		168-3	0.02.0	
		168-4	0.03.0	
		168-7	0.03.0	
		169	0.03.5 जी. पी.	
		170-2	0.03.0	
		171-1	0.12.0	
		175-1	0.01.0 जी. पी.	
		175-3	0.04.5	
		175-6	0.21.0	
		175-5	0.07.0	
		234-1 ए	0.14.0	
		234-1 बी	0.15.0	
		230	0.01.0 जी. पी.	
		231	0.01.5 जी.पी.	
		227-1 ए	0.13.5	
		227-2	0.07.0	
		227-4	0.01.0 जी. पी.	
			3.01.5	

[फा. सं. एल-14014/18/08-जी. पी.]
के. के. शर्मा, अवर सचिव

New Delhi, the 22nd January, 2009

S.O. 209.—Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S. O. No. 2440 dated 21st August, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Govt. of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying Vaigai to Karaikal chlorates pipeline for the transportation of natural gas in the Puducherry Union Territory by GAIL (India) Limited;

And whereas copies of the said Gazette Notification were made available to the public from 11-11-2008 to 17-11-2008;

And whereas no objections to the laying of the pipeline were received from the public by the Competent Authority within the stipulated time;

And whereas the Competent Authority has, under sub-section(1) of Section 6 of the said Act, submitted its report of Government of India;

And whereas Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land

specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the land for laying the pipelines shall, instead of vesting in the Government of India, vest, on the date of the publication of the declaration, in GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area (In Hectare)
1	2	3	4	5
Karaikal	Thirunallar	15, Melaka-sakudy	32-1	0.21.0
			31-3	0.01.5
			37-1	0.01.5
			37-2	0.21.0
			37-3	0.09.0
			38-9	0.02.0
			39-1	0.14.0
			39-5	0.01.0 G.P.
			57-4	0.03.0
			55-1	0.11.0
			55-2	0.05.0
			54-1	0.01.5 G.P.
			54-2	0.15.5
			162-1	0.01.0 G.P.
			162-2	0.58.0
			167-1	0.01.0 G.P.
			167-2	0.09.5
			167-3	0.04.0
			168-1	0.04.5
			168-2	0.03.5
			168-3	0.02.0
			168-4	0.03.0
			168-7	0.03.0
			169	0.03.5 G.P.
			170-2	0.03.0
			171-1	0.12.0
			175-1	0.01.0 G.P.
			175-3	0.04.5
			175-6	0.21.0
			175-5	0.07.0
			234-1 A	0.14.0
			234-1 B	0.15.0
			230	0.01.0 G.P.
			231	0.01.5
			227-1 A	0.13.5
			227-2	0.07.0
			227-4	0.01.0 G.P.
				3.01.5

[F. No. L-14014/18/08-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 28 जनवरी, 2009

का. आ. 210.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गयी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2446, तारीख 27 अगस्त, 2008 द्वारा तामिलनाडु राज्य में चेन्नई पेट्रोलियम कॉर्पोरेशन लिमिटेड, मनालि कि रिफैनरी से भीनाम्बवक्कम एक्सपोर्ट तक पेट्रोलियम उत्पादनों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा एवीएशन टर्बाईन पम्पुल (ए टि एफ्) पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी।

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 31-10-2008 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उप-धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि के उपयोग का अधिकार इस अधिसूचना के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी बिल्लंगमों से मुक्त हो कर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

वास्तुका : श्रीमेम्पुराम		विलास : कांचीपुरम्		राज्य : तामिलनाडू		
गोंद का नम	संख्या	उप-संख्या	लेवर	एवर	कांस्ट्र	
1	2	3	4	5	6	
53. चरमपुरम्	444	231ए	0	1	71	
	440	5	0	3	60	
57. इन्नाम्पुरम्पेट्टम्	5	2	0	0	84	
	13	1	0	0	65	
	11	231ए	0	42	54	
	57	6	0	8	40	
	56	2	0	7	41	
	186	3सी	0	1	37	
	7	18	0	21	98	
	8	431	0	4	16	
	8	431	0	3	60	
	8	331ए	0	3	26	
	57	2सी	0	6	30	
	57	2सी	0	3	84	
	57	9ए	0	0	40	
	57	9सी	0	0	69	
	57	5	0	2	40	
	57	7	0	4	80	
	56	4	0	2	57	
	56	5	0	0	84	
	349	9	0	0	40	

1	2	3	4	5	6
56, काटरप्पलम	333	1	0	2	56
	334	1ए1ए	0	2	52
	338	1ए1	0	15	38
	335	1ए1	0	1	23
	328	1ए	0	11	58
	288	1ए1	0	3	96
	329	55एफ 1	0	6	48
60, पुण्यर	59	1सी	0	4	50
	59	3	0	0	60
	53	1ए	0	2	53
	53	1बी	0	2	00
	53	2	0	1	56
	50	6डी	0	1	52
	49	2बी4	0	0	62
	58	5बी	0	3	87
	58	6बी	0	2	43
	58	5	0	0	64
	54	4ए	0	2	75
	54	4बी	0	1	71
	54	4सी	0	1	62
	53	3	0	2	80
	53	4	0	4	08
	53	5ए	0	1	50
	53	5बी	0	1	10
	53	6ए	0	3	12
	53	6बी	0	3	90
	53	6सी	0	0	85
	49	2बी5	0	1	00
	49	2बी7	0	0	50

1	2	3	4	5	6
61, नन्दगांवकरम	656	१४१ए	०	८	५३
	647	४८	०	०	८८
	647	८३ी	०	०	८६
	635	२३ी४	०	०	७६
	207	१	०	०	५३
	659	११	०	०	७८
	656	अवी१ए१ए१एफ	०	१	६६
	648	११ए२	०	१	८५
	648	६	०	२	८९
	648	७३ी	०	१	८६
	635	३४	०	३	७१
	635	२३ी१	०	१	३३
	633	१ए३	०	५	८४
	501	२	०	१	०६
	501	३	०	१	३३
	500	१	०	२	७४
91, कुन्नरूर	756	२	०	१	५१
	601	१	०	८	३२
	582	१	०	०	५९
	577	१४१ए	०	१६	१३
	494	१३ी१	०	२	८६
	108	३	०	५	४८
	९८	-	०	०	६८
	११	२३ी	०	१	४१
	1379	६५१	०	४	२८
	९५३	-	०	३	४८

1	2	3	4	5	6
	601	2	0	3	60
	578	1ए	0	7	92
	578	2ए	0	5	82
	579	1ए	0	0	92
	567	1ए1ए	0	4	46
	561	2	0	0	40
	561	3ए1ए	0	7	28
	109	2बी	0	2	93
	109	2ए	0	2	28
	100	2बी 1	0	4	68
	11	4	0	2	16
	11	5	0	1	94
	11	6	0	2	16
	1379	5	0	2	00
	1379	6बी	0	6	16
	1379	6ए3	0	4	68
	1379	6ए2	0	12	96
	18	9	0	1	80
	3	2ए	0	0	82
	3	3	0	1	30
82, रेण्डाकटलाइ	121	1बी	0	1	80
	121	2	0	2	00
	122	-	0	3	00
81, ताराप्पक्कम	211	1बी	0	0	50
	203	5	0	0	40
	213	-	0	6	75
	214	1ए	0	4	00

1	2	3	4	5	6
	214	१बी	०	०	५७
	216	१	०	१	३२
	215	१	०	३	७२
	215	२	०	३	९६
	215	३	०	१०	५६

[फा. सं. आर-25011/11/2006-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 28th January, 2009

S. O. 210.— Whereas, by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2446 dated the 27th August, 2008 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Aviation Turbine Fuel (ATF) petroleum product from Refinery of Chennai Petroleum Corporation Limited, Manali to Meenambakkam Airport in the State of Tamil Nadu, by the Indian Oil Corporation Limited

And whereas, copies of the said notification were made available to the public from 31-10-2008.

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the Right of User in the Land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the Right of User in the said Land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

Schedule

Taluk : Sriperumbudur		District : Kanchipuram		State : Tamilnadu		
Name of the Village	Survey No.	Sub-Division No	Hectare	Are	Square meter	
1	2	3	4	5	6	
53, Valarpuram	444	2A1A	0	1	71	
	440	5	0	3	60	
57, Irrungattukottai	5	2	0	0	84	
	13	1	0	0	65	
	11	2A1A	0	42	54	
	57	6	0	8	40	
	56	2	0	7	41	
	186	3B	0	1	37	
	7	18	0	21	98	
	8	4A1	0	4	16	
	8	4B1	0	3	60	
	8	3A1A	0	3	26	
	57	2B	0	6	30	
	57	2C	0	3	84	
	57	9A	0	0	40	
	57	9B	0	0	69	
	57	5	0	2	40	
	57	7	0	4	80	
	56	4	0	2	57	
	56	5	0	0	84	
	349	9	0	0	40	

1	2	3	4	5	6
56, Katrambakkam	333	1	0	2	86
	334	1A1A	0	2	52
	338	1A1	0	15	38
	335	1A1	0	1	23
	328	1A	0	11	88
	288	1A1	0	3	96
	329	55F1	0	6	48
60, Puduppair	59	1C	0	4	50
	59	3	0	0	60
	53	1A	0	2	53
	53	1B	0	2	0
	53	2	0	1	66
	50	6D	0	1	52
	49	2B4	0	0	62
	58	5B	0	3	87
	58	6B	0	2	43
	59	5	0	0	64
	54	4A	0	2	75
	54	4B	0	1	71
	54	4C	0	1	62
	53	3	0	2	80
	53	4	0	4	08
	53	5A	0	1	50
	53	5B	0	1	10
	53	6A	0	3	12
	53	6B	0	3	90
	53	6C	0	0	85
	49	2B5	0	1	00
	49	2B7	0	0	50

1	2	3	4	5	6
61, Nandambakkam	656	1A1A	0	8	53
	647	8A	0	0	88
	647	6B	0	0	86
	635	2B4	0	0	76
	207	1	0	0	53
	659	11	0	0	78
	656	3B1A/1A1F	0	1	66
	648	11A2	0	1	85
	648	6	0	2	89
	648	7B	0	1	86
	635	34	0	3	71
	635	2D1	0	1	33
	633	1A3	0	5	84
	501	2	0	1	06
	501	3	0	1	33
	500	1	0	2	74
91, Kunnathur	756	2	0	1	51
	601	1	0	8	32
	592	1	0	0	59
	577	1A1A	0	16	13
	494	1B1	0	2	86
	108	3	0	5	48
	98	-	0	0	68
	11	2C	0	1	41
	1379	6A1	0	4	28
	953	-	0	3	48

1	2	3	4	5	6
	601	2	0	3	60
	578	1A	0	7	92
	578	2A	0	5	82
	579	1A	0	0	92
	567	1A1A	0	4	46
	561	2	0	0	40
	561	3A1	0	7	28
	109	2B	0	2	93
	109	2A	0	2	28
	100	2B1	0	4	68
	11	4	0	2	16
	11	5	0	1	94
	11	6	0	2	16
	1379	5	0	2	00
	1379	6B	0	6	16
	1379	6A3	0	4	68
	1379	6A2	0	12	96
	18	9	0	1	80
	3	2A	0	0	82
	3	3	0	1	30
82, Rendankattalai	121	1B	0	1	80
	121	2	0	2	00
	122	-	0	3	00
81, Tharappakkam	211	1B	0	0	50
	203	5	0	0	40
	213	-	0	6	75
	214	1A	0	4	00

1	2	3	4	5	6
	214	1B	0	0	57
	216	1	0	1	32
	215	1	0	3	72
	215	2	0	3	96
	215	3	0	10	56

[F. No. R-25011/11/2006-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 28 जनवरी, 2009

का.आ. 211.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 2444 दिनांक 21.08.08, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, पानीपत-जालंधर एल.पी.जी. पाइपलाइन परियोजना हेतु हरियाणा राज्य के पानीपत से पंजाब राज्य के नाभा से होते हुए पंजाब राज्य के जालंधर एल.पी.जी. के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने हेतु उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट पंजाब राज्य की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को 24.10.2008 को उपलब्ध करा दी गई थीं,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी, ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित हाने की बजाय सभी बिल्लंगमों से मुक्त होकर इण्डियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

राज्य- पंजाब

जिला	तहसील	गांव का नाम	ठदबस्त संख्या	मुस्तील संख्या	खसरा / किला संख्या	क्षेत्रफल		
						हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5	6	7	8	9
पटियाला	नाभा	बौरां कलां	202	-	1625/393	0	06	32
					397	0	05	06
					391	0	13	91
					396	0	07	59
					1236/399	0	00	51
					1133	0	06	83
					1134	0	12	65
					1132	0	06	83
पटियाला	नाभा	झुग्गा खुर्द	94	7	9/1	0	02	28
					9/2	0	00	76
					12/1	0	00	76
					12/2	0	02	28
पटियाला	समाना	दोदडा	64	49	1	0	11	13
					2	0	00	25
					10	0	11	13
					11	0	11	13
					20	0	11	13
					21	0	11	13
					51	5	0	25
					6	00	04	81
					52	1	11	13
					10	0	06	58
					11	0	01	26
					41	21/2/2	0	07
						19	0	10
						22	0	12
							05	06
पटियाला	समाना	भामना	88	120	19/2	0	01	01
					21	0	04	81
					145	1	12	40
					9	0	13	66
					10	0	00	25
					12/2	0	00	25
					13	0	05	31

1	2	3	4	5	6	7	8	9
संगरुर	संगरुर	राजपुरा	31	-	272 929/279	0 0	16 03	19 79
संगरुर	संगरुर	भिमडी	202	-	469	0	08	60
फतेहगढ़	अमलोह	तंगराला	174	23	5 6	0 0	04 06	30 58

[फा. सं. आर-25011/13/2006-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 28th January, 2009

S. O. 211.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 2444 dated the 21st August, 2008, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for transportation of liquefied petroleum gas (LPG) from Panipat in the State of Haryana to Jallandhar in the State of Punjab via Nabha in the State of Punjab by the Indian Oil Corporation Limited.

And whereas, copies of the said gazette notification were made available to the public on 24.10.08;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And, further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State: PUNJAB

Name of District	Name of tehsil	Name of Village	Hadbaat No.	Mushtil No.	Khasra / Killa No.	Area		
						Hectare	Are	Square Metre
1	2	3	4	5	6	7	8	9
PATIALA	NABHA	BAURAN KALAN	202	-	1625/393	0	06	32
						397	0	05
						391	0	13
						396	0	59
						1236/399	0	00
					1133	0	06	83
						1134	0	12
						1132	0	65
						9/1	0	06
						9/2	0	28
PATIALA	NABHA	BUGGA KHURD	94	7	12/1	00	00	76
						12/2	0	2
						0	02	28
						1	0	13
						2	0	25
					61	0	11	13
						10	0	11
						11	0	13
						20	0	13
						21	0	13
PATIALA	SAMANA	DODRA	64	49	21/2/2	0	00	25
						5	0	81
						6	00	81
						52	1	13
						10	0	58
					41	11	0	26
						19	0	07
						22	0	06
						0	05	06
						19/2	0	01
PATIALA	SAMANA	BHAMNA	88	120	21	0	01	01
						1	0	81
						9	0	40
						10	0	66
						12/2	0	25
					13	0	05	31
						0	05	

1	2	3	4	5	6	7	8	9
SANGRUR	SANGRUR	RAJPURA	31	-	272 929/279	0 0	16 03	19 79
SANGRUR	SANGRUR	BIMRI	202	-	469	0	08	60
FATEHGARH SAHIB	AMLOH	TANGLALA	174	23	5 6	0 0	04 06	30 58

[F. No. R-25011/13/2006-O.R.-I]

S. K. CHITKARA, Under Secy.

नई दिल्ली, 29 जनवरी, 2009

का. आ. 212—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में तथा उल्लिखित तारीखों की अधिसूचना संख्या का 0 आ 0 द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था:

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत शक्तियों का प्रयोग करते हुए, उक्त भूमियों में जो सभी विलंगमों से मुक्त, उपयोग का अधिकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित किया था:

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि एल.पी.जी.के परिवहन के लिए हरियाणा राज्य के पानीपत से पंजाब राज्य के नाभा से होते हुए पंजाब राज्य के जालंधर तक पानीपत-जालंधर एल.पी.जी. पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा उक्त भूमि में पाइपलाइन बिछाई जा चुकी है अतः उस भूमि के बारे में, जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया गया है, ऐसे प्रयालन को समाप्त किया जाए:

अतः अब, केन्द्रीय सरकार, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तंभ 6 में उल्लिखित तारीखों को प्रचालन की समाप्ति की तारीखों के रूप में घोषित करती है।

अनुसूची

का. आ. सं. एवं तारीख	ग्राम	तहसील	जिला	राज्य	प्रचलन की समाप्ति की तारीख
1.	2.	3.	4.	5.	6.
3859, 25.09.06	डीग	कैथल	कैथल	हरियाणा	27.03.08
	काकौत	कैथल	कैथल	हरियाणा	27.03.08
3860, 25.09.06	ददलाना	पानीपत	पानीपत	हरियाणा	30.04.08
3861, 25.09.06	कोताना	असंध	करनाल	हरियाणा	12.04.08
	मुनक	असंध	करनाल	हरियाणा	12.04.08
3862, 25.09.06	गुढा	घरोंडा	करनाल	हरियाणा	30.04.08
	बेगमपुर	घरोंडा	करनाल	हरियाणा	14.04.08

[फा. स. आर-25011/3/2009-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 29th January, 2009

S. O. 212.—Whereas, by Notifications of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. and date as mentioned in the schedule attached issued under sub section (1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government acquired the right of user in the lands specified in the Schedule appended to those notifications;

And, whereas, in exercise of the powers conferred by sub section (4) of section 6 of the said Act, the Central Government vested the right of user in the said land, free from all encumbrances in the Indian Oil Corporation Limited;

And, Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of LPG from Panipat in the state of Haryana to Jalandhar in the state of Punjab via Nabha in the state of Punjab by the Indian Oil corporation Limited has been laid in the said land, so the operation may be terminated in respect of the land the description of which in brief is specified in the Schedule annexed to this notification;

Now, therefore, as required under explanation-1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Central Government hereby declares the dates mentioned in Column 6 of the said Schedule as the dates of termination of operation.

SCHEDULE

S.ONO. & DATE	NAME OF THE VILLAGE	TEHSIL	DISTRICT	STATE	DATE OF TERMINATION OF OPERATION
1	2	3	4	5	6
3859, 25.09.06	Dig	Kaithal	Kaithal	Haryana	27.03.08
	Kakaut	Kaithal	Kaithal	Haryana	27.03.08
3860, 25.09.06	Dadlana	Panipat	Panipat	Haryana	30.04.08
3861, 25.09.06	Kotana	Assandh	Karnal	Haryana	12.04.08
	Munak	Assandh	Karnal	Haryana	12.04.08
3862, 25.09.06	Gudha	Gharaunda	Karnal	Haryana	30.04.08
	Begampur	Gharaunda	Karnal	Haryana	14.04.08

[F. No. R-25011/3/2009-O.R.-I]
S. K. CHITKARA, Under Secy.

गई दिल्ली, 29 जनवरी, 2009

का. अ. 213— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की नीचे दी गई अनुसूची में तथा उल्लिखित तारीखों की अधिसूचना सख्ता का 0 आ 0 द्वारा उन अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया था:

और केन्द्रीय सरकार ने, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमियों में जो सभी विलंगमों से मुक्त, उपयोग का अधिकार इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित किया था:

और सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दी है कि एल.पी.जी.के परिवहन के लिए हरियाणा राज्य के पानीपत से पंजाब राज्य के नामा से होते हुए पंजाब राज्य के जालंधर तक पानीपत-जालंधर एल.पी.जी. पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा उक्त भूमि में पाइपलाइन बिछाई जा चुकी है अतः उस भूमि के बारे में, जिसका संक्षिप्त विवरण इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट किया गया है, ऐसे प्रचालन को समाप्त किया जाए:

अतः अब, केन्द्रीय सरकार, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1963 के नियम 4 के स्पष्टीकरण-1 के अधीन अपेक्षानुसार उक्त अनुसूची के स्तंभ 6 में उल्लिखित तारीखों को प्रचालन की समाप्ति की तारीखों के रूप में घोषित करती है।

अनुसूची

का. आ. सं. एवं तारीख	ग्राम	तहसील	जिला	राज्य	प्रचालन की समाप्ति की तारीख
1.	2.	3.	4.	5.	6.
1442, 16.05.07	उगोकी	पातडा	पटियाला	पंजाब	20.03.08
	ननहेड़ी	पातडा	पटियाला	पंजाब	20.03.08
	नागरी	पातडा	पटियाला	पंजाब	20.03.08
	चुपकी	पातडा	पटियाला	पंजाब	20.03.08
1441, 16.05.07	शाहपुर	समाना	पटियाला	पंजाब	22.03.08
	मावीकलां	समाना	पटियाला	पंजाब	22.03.08
	सहेजपुर कलां	समाना	पटियाला	पंजाब	22.03.08
	कोटली	समाना	पटियाला	पंजाब	22.03.08
	डोडरा	समाना	पटियाला	पंजाब	22.03.08
	भेड़पुरी	समाना	पटियाला	पंजाब	23.03.08
	भासना	समाना	पटियाला	पंजाब	23.03.08
	कहानगढ़	समाना	पटियाला	पंजाब	23.03.08
	बिशनपुर	समाना	पटियाला	पंजाब	23.03.08
	कुलबरछा	समाना	पटियाला	पंजाब	23.03.08
	कादराबाद	समाना	पटियाला	पंजाब	23.03.08
	मुनशीवाला	संगरुर	संगरुर	पंजाब	26.03.08
1542, 25.05.07, 1286, 30.05.08 व 1287, 30.05.08	नदामपुर	संगरुर	संगरुर	पंजाब	26.03.08
	मसानी	संगरुर	संगरुर	पंजाब	26.03.08
	राजपुरा	संगरुर	संगरुर	पंजाब	26.03.08
	फुमनवाल	संगरुर	संगरुर	पंजाब	26.03.08
	बिम्बड	संगरुर	संगरुर	पंजाब	26.03.08
	बिम्बडी	संगरुर	संगरुर	पंजाब	26.03.08

1.	2.	3.	4.	5.	6.
1940, 04.07.07 व 1287, 30.05.08	रामगढ़	नाभा	पटियाला	पंजाब	18.03.08
	बौरां कलां	नाभा	पटियाला	पंजाब	18.03.08
	बीर बौरां	नाभा	पटियाला	पंजाब	18.03.08
	बौरां खुर्द	नाभा	पटियाला	पंजाब	18.03.08
	ककराला	नाभा	पटियाला	पंजाब	19.03.08
	कुलारां	नाभा	पटियाला	पंजाब	19.03.08
	धींगी	नाभा	पटियाला	पंजाब	19.03.08
	पहाड़पुर	नाभा	पटियाला	पंजाब	19.03.08
	कौल	नाभा	पटियाला	पंजाब	19.03.08
	कमेली	नाभा	पटियाला	पंजाब	19.03.08
	गुरदीतपुरा	नाभा	पटियाला	पंजाब	19.03.08
	उधा	नाभा	पटियाला	पंजाब	19.03.08
	बाबरपुर	नाभा	पटियाला	पंजाब	20.03.08
	टोडरवाल	नाभा	पटियाला	पंजाब	20.03.08
	बिशनगढ़	नाभा	पटियाला	पंजाब	20.03.08
	डंडराला	नाभा	पटियाला	पंजाब	20.03.08
	डींडसा				
	रणजीतगढ़	नाभा	पटियाला	पंजाब	20.03.08
	मोहलगवारा	नाभा	पटियाला	पंजाब	20.03.08
	पहलियां कलां	नाभा	पटियाला	पंजाब	20.03.08
	बुरगा खुर्द	नाभा	पटियाला	पंजाब	20.03.08
1538, 23.05.07 व 1287, 30.05.08	तंदा बधा खुर्द	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	रायपुर	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	चोबदारां				
	कपूरगढ़	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	भरपूरगढ़	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	दीवा गंडवा	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	कंजारी	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	लल्लों खुर्द	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	महमूदपुर	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08
	तंगराला	अमलोह	फतेहगढ़ साहिब	पंजाब	15.03.08

1.	2.	3.	4.	5.	6.
1653, 05,07,08 व 1287, 30,05,08	ईशनपुर	खन्ना	लुधियाना	पंजाब	27.03.08
	रोहनु खुर्द	खन्ना	लुधियाना	पंजाब	27.03.08
	रोहनु कलां	खन्ना	लुधियाना	पंजाब	27.03.08
	राजेवाल	खन्ना	लुधियाना	पंजाब	27.03.08
	फतेहपुर ढक	खन्ना	लुधियाना	पंजाब	27.03.08
	कोटला ढक	खन्ना	लुधियाना	पंजाब	27.03.08
	चकोही	खन्ना	लुधियाना	पंजाब	28.03.08
	भमाई	खन्ना	लुधियाना	पंजाब	28.03.08
	मोहनपुर	खन्ना	लुधियाना	पंजाब	28.03.08
	गगड माजरा	खन्ना	लुधियाना	पंजाब	28.03.08
	देहरु	खन्ना	लुधियाना	पंजाब	28.03.08
1654, 05,07,07 व 1287, 30,05,08	रुपा	समराला	लुधियाना	पंजाब	26.03.08
	बगली कलां	समराला	लुधियाना	पंजाब	26.03.08
	बगला	समराला	लुधियाना	पंजाब	26.03.08
	अजलोद	समराला	लुधियाना	पंजाब	26.03.08
	नागरा	समराला	लुधियाना	पंजाब	26.03.08
	शमसंपुर	समराला	लुधियाना	पंजाब	26.03.08
	पपरौधी	समराला	लुधियाना	पंजाब	27.03.08
	भगवानपुरा	समराला	लुधियाना	पंजाब	27.03.08
	चकरौधी	समराला	लुधियाना	पंजाब	27.03.08
	चालां	समराला	लुधियाना	पंजाब	27.03.08
	लाधरां	समराला	लुधियाना	पंजाब	27.03.08
	रोहलां	समराला	लुधियाना	पंजाब	27.03.08
	भरथला	समराला	लुधियाना	पंजाब	27.03.08
	बालियों	समराला	लुधियाना	पंजाब	27.03.08
	जुलाह माजरा	समराला	लुधियाना	पंजाब	27.03.08
	गढ़ी तरखाना	समराला	लुधियाना	पंजाब	27.03.08
1651, 05,07,07	खोजा	नवांशहर	नवांशहर	पंजाब	31.03.08
1652, 05,07,07	खनगुडा	फगवाडा	कपुरथला	पंजाब	31.03.08

[फ. सं. आर-25011/3/2009-आ०.आर-१]

एस. के. चिट्ठार, अवर सचिव

New Delhi, the 29th January, 2009

S.O. 213.—Whereas, by Notifications of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. and date as mentioned in the schedule attached issued under sub section (1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government acquired the right of user in the lands specified in the Schedule appended to those notifications;

And, whereas, in exercise of the powers conferred by sub section (4) of section 6 of the said Act, the Central Government vested the right of user in the said land, free from all encumbrances in the Indian Oil Corporation Limited;

And, Whereas, the Competent Authority has made a report to the Central Government that the pipeline for the purpose of transportation of LPG from Panipat in the state of Haryana to Jalandhar in the state of Punjab via Nabha in the state of Punjab by the Indian Oil corporation Limited has been laid in the said land, so the operation may be terminated in respect of the land the description of which in brief is specified in the Schedule annexed to this notification;

Now, therefore, as required under explanation-1 of rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, the Central Government hereby declares the dates mentioned in Column 6 of the said Schedule as the dates of termination of operation.

SCHEDULE

S.O.NO. & DATE	NAME OF THE VILLAGE	TEHSIL	DISTRICT	STATE	DATE OF TERMINATION OF OPERATION
1	2	3	4	5	6
1442, 16.05.07	Ugoki	Patran	Patiala	Punjab	20.03.08
	Nanhera	Patran	Patiala	Punjab	20.03.08
	Nagri	Patran	Patiala	Punjab	20.03.08
	Chupki	Patran	Patiala	Punjab	20.03.08
1441, 16.05.07	Shahpur	Samana	Patiala	Punjab	22.03.08
	Mavi kalan	Samana	Patiala	Punjab	22.03.08
	Shejpur kalan	Samana	Patiala	Punjab	22.03.08
	Kotli	Samana	Patiala	Punjab	22.03.08
	Dodara	Samana	Patiala	Punjab	23.03.08
	Bhedpuri	Samana	Patiala	Punjab	23.03.08
	Bhamna	Samana	Patiala	Punjab	23.03.08
	Kahangarh	Samana	Patiala	Punjab	23.03.08
	Bishanpur	Samana	Patiala	Punjab	23.03.08
	Kulbarchha	Samana	Patiala	Punjab	23.03.08
	Kadrabad	Samana	Patiala	Punjab	23.03.08

1	2	3	4	5	6
1542, 25.05.07.	Munshiwala	Sangrur	Sangrur	Punjab	26.03.08
1286, 30.05.08	Nadampur	Sangrur	Sangrur	Punjab	26.03.08
& 1287, 30.05.08	Masani	Sangrur	Sangrur	Punjab	26.03.08
	Rajpura	Sangrur	Sangrur	Punjab	26.03.08
	Phumanwali	Sangrur	Sangrur	Punjab	26.03.08
	Bimbar	Sangrur	Sangrur	Punjab	26.03.08
	Bimbri	Sangrur	Sangrur	Punjab	26.03.08
	Ramgarh	Nabha	Patiala	Punjab	18.03.08
	Bauran Kalan	Nabha	Patiala	Punjab	18.03.08
	Bir Bauran	Nabha	Patiala	Punjab	18.03.08
	Bauran Khurd	Nabha	Patiala	Punjab	18.03.08
	Kakrala	Nabha	Patiala	Punjab	19.03.08
	Kularan	Nabha	Patiala	Punjab	19.03.08
	Dhingi	Nabha	Patiala	Punjab	19.03.08
	Paharpur	Nabha	Patiala	Punjab	19.03.08
1940, 04.07.07 & 1287, 30.05.08	Kaul	Nabha	Patiala	Punjab	19.03.08
	Kameli	Nabha	Patiala	Punjab	19.03.08
	Gurditpura	Nabha	Patiala	Punjab	19.03.08
	Udha	Nabha	Patiala	Punjab	19.03.08
	Baberpur	Nabha	Patiala	Punjab	20.03.08
	Todarwal	Nabha	Patiala	Punjab	20.03.08
	Bishangarh	Nabha	Patiala	Punjab	20.03.08
	Dhandarala Dhindsa	Nabha	Patiala	Punjab	20.03.08
	Ranjitgarh	Nabha	Patiala	Punjab	20.03.08
	Mauhigawara	Nabha	Patiala	Punjab	20.03.08
	Phalian Kalan	Nabha	Patiala	Punjab	20.03.08
	Bugga Khurd	Nabha	Patiala	Punjab	20.03.08
	Tanda Badha Khurd	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Raipur Chaubdaran	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Kapurgarh	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Bharpurgarh	Amloh	Fatehgarh Sahib	Punjab	15.03.08
1538, 23.05.07 & 1287 30.05.08	Diwa Gandhuan	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Kanjari	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Lalon Khurd	Amloh	Fatehgarh Sahib	Punjab	15.03.08

1	2	3	4	5	6
1653. 05.07.08 & 1287. 30.05.08	Mehmudpur	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Tangrala	Amloh	Fatehgarh Sahib	Punjab	15.03.08
	Ishanpur	Khanna	Ludhiana	Punjab	27.03.08
	Rohano Khurd	Khanna	Ludhiana	Punjab	27.03.08
	Rohano Kalan	Khanna	Ludhiana	Punjab	27.03.08
	Rajewal	Khanna	Ludhiana	Punjab	27.03.08
	Fatehpur Dhak	Khanna	Ludhiana	Punjab	27.03.08
	Kotla Dhak	Khanna	Ludhiana	Punjab	27.03.08
	Chakohi	Khanna	Ludhiana	Punjab	28.03.08
	Bhamadhi	Khanna	Ludhiana	Punjab	28.03.08
1654. 05.07.07 & 1287. 30.05.08	Mohanpur	Khanna	Ludhiana	Punjab	28.03.08
	Gagar majra	Khanna	Ludhiana	Punjab	28.03.08
	Deheru	Khanna	Ludhiana	Punjab	28.03.08
	Rupa	Samrala	Ludhiana	Punjab	26.03.08
	Bagali Kalan	Samrala	Ludhiana	Punjab	26.03.08
	Bagala	Samrala	Ludhiana	Punjab	26.03.08
	Ajalaud	Samrala	Ludhiana	Punjab	26.03.08
	Nagara	Samrala	Ludhiana	Punjab	26.03.08
	Samashpur	Samrala	Ludhiana	Punjab	26.03.08
	Papraudhi	Samrala	Ludhiana	Punjab	26.03.08
	Bhagwanpura	Samrala	Ludhiana	Punjab	27.03.08
	Chakraudhi	Samrala	Ludhiana	Punjab	27.03.08
	Chahalan	Samrala	Ludhiana	Punjab	27.03.08
	Ladharan	Samrala	Ludhiana	Punjab	27.03.08
	Rohlan	Samrala	Ludhiana	Punjab	27.03.08
1651. 05.07.07	Bharthala	Samrala	Ludhiana	Punjab	27.03.08
	Baleon	Samrala	Ludhiana	Punjab	27.03.08
	Julah majara	Samrala	Ludhiana	Punjab	27.03.08
	Garhi Tarkhana	Samrala	Ludhiana	Punjab	27.03.08
	Khoja	Nawanshahr	Nawanshahr	Punjab	31.03.08
1652. 05.07.07	Khangura	Phagwara	Kapurthala	Punjab	31.03.08

श्रम एवं रोजगार मंत्रालय
नई दिल्ली, 7 जनवरी, 2009

का.आ. 214.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं दन्कुनी कोल कॉम्प्लेक्स के प्रबंधनतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोलकाता के पंचाट (संदर्भ संख्या 31/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-22012/31/2000-आई आर(सीएम-II)]
अजय कुमार गौड़, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 7th January, 2009

S.O. 214.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure, in the Industrial Dispute between the Employers in relation the management of Dankuni Coal Complex and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-22012/31/2000-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 31 of 2000

Parties : Employers in relation to the management of The Chief General Manager, Dankuni Coal Complex

AND

Their workmen

Present : Mr. Justice C.P. Mishra, Presiding Officer

APPEARANCE:

On behalf of the Management : Mr. A. Banerjee, Advocate with Mr. S. Mukherjee, Advocate

On behalf of the Workman : Mr. A. Bhadury, Trade Union Representative

State : West Bengal Industry : Coal

Dated : 18th December, 2008.

AWARD

By Order No. L-22012/31/2000/IR (CM-II) dated 8-8-2000 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Dankuni Coal Complex in not considering the initial date of entry of

Sh. Sudip Kumar Banerjee, Miss Zarina Khatoon, and Shri Gautam Mukherjee Category-I Mazdoor for the purpose of regularization is justified? If not, what relief these three workmen are entitled?”

2. This reference has been made at the instance of Dankuni Coal Complex Employees Union, hereinafter to be referred as the union. The case of the union as it appears in its statement of claims in short is that Shri Sudip Kumar Benetjee was initially appointed in Dankuni Coal Complex, in short DCC as a Category-I Mazdoor *vide* appointment letter No. CIL/DCC/06/Appoint/930 dated 8-10-1987 on temporary basis for a stipulated period of three months and he joined the service on 14-10-1987 after duly complying with all the formalities and medical examination. He thereafter continued in his employment without any interruption till 14-10-1988 according to the extension letters issued by the DCC dated 28-12-1987, 30-4-1988, 23-6-1988 and 28-10-1988 for the terms of three month's engagement each. He received few benefits like regular employees and performed same duty since inception. The DCC, however, *vide* its letter No. CIL/DCC/06/Pers/Appoint/1834 dated 15-10-1988 stated that the workman will be under probation for a period of one year subject to other conditions as mentioned therein, ignoring the entire period of continuous service and resorted to an unfair labour practice as per Clauses 9 and 10 of the 5th Schedule of the Industrial Disputes Act, 1947, hereinafter to be referred to as the Act. Miss. Zarina Khatoon, another workman was also appointed in similar fashion by the DCC *vide* its letter No. CIL/DCC/06/Appoint/928 dated 08-10-1987 and she continued in service without any interruption. This workman by her letter dated 23-05-1989 informed the management about her reporting day and the nature of job performed during the past continuous service. In her case also past continuous service was ignored by the DCC. So also the case of another workman, Shri Gautam Mukherjee who was also similarly appointed by the DCC by its letter dated 08-10-1987 and continued in service in the same fashion and ultimately appointed ignoring the entire past service.

All the above workmen were initially appointed on temporary basis, but in fact all of them rendered continuous service as regular employees. Fresh appointment letters as issued to them are nothing but unfair labour practice. They were not engaged either on compassionate or humanitarian ground and their engagement was as per requirement and exigency of work. The union has referred to an Award passed by this Tribunal in Reference No. 39 of 1988 in this connection. According to the union the management without any bonafide reason appointed the concerned workmen on temporary basis and kept them temporary by issuing extension letters and finally appointed them on probation which is utter violation of the principles of natural justice. The union has referred to its letter dated 02-02-1999 addressed to the Assistant Labour

Commissioner wherein the instances of few workmen, namely, Sk. Masodur Rashid, Mossar of Hossain and Md. Rahamat Ali who are stated to be taken on employment but no due consideration was given to the concerned workmen. Therefore, according to the union the action of the management in not considering the initial date of entry of the concerned workmen in DCC and ignoring the past spotless continuous service for their regularization is bad, perverse, arbitrary and should be void and inoperative. It is also stated to be a case of discrimination as all other temporary employees given permanency by the management effecting the date of their entry in the service. It is accordingly prayed that the reference be answered in favour of the workmen.

3. The management of DCC in its written statement has firstly stated that the reference is not maintainable because of non-application of mind. Regarding merit the case of the management in short is that as per letter of temporary appointment dated 08-10-1987 Shri Sudip Banerjee was engaged for a period of three months with effect from the date of his joining but not later than 15-10-1987 and he joined DCC on 14-10-1987 as a temporary workman. He joined the service after accepting the terms and conditions as mentioned in the letter of appointment. Thereafter his temporary engagement was extended from time to time and finally by letter dated 15-10-1988 he was appointed as a Mazdoor Category-I in DCC. It has been provided in the said appointment letter that Shri Banerjee would be on probation for a period of one year and on getting satisfactory antecedence report he would be confirmed again. At the material point of time, i.e., 08-10-1987 Model Standing Order was applicable to the employees of DCC which defined the temporary workman as follows :—

“a temporary workman is an workman who has been engaged for work which is essentially temporary nature likely to be finished within a limited period. The period within which it is likely to be finished should also be specified but it may be extended from time to time, if necessary.”

On the basis of the same temporary engagement of said Shri Banerjee was extended from time to time. It is stated that after rendering one year of service Shri Banerjee and two other employees were engaged against a permanent post on probation and similar procedures were and are being followed in respect of other permanent employees appointed in DCC. In view of their appointment against permanent vacancy, the status of the workmen concerned was changed from temporary nature to permanent and as such there is no question of any unfair labour practice as alleged. It is further stated that the concerned workmen joined the post of Mazdoor Category-I and subsequently they were upgraded/promoted step by step from Clerical Grade-III, II, I and ultimately to the post of Special Grade. Similar is the position of Miss. Jarina

Khatun, another concerned workman. So also the position of Shri Gautam Mukherjee, another concerned workman. He, however, was upgraded/promoted from Category-I to Technical Grade-D, Technical Grade-D to Grade-C and ultimately to the post of Technical Inspector in Technical Grade-B. It is stated in respect of all the concerned workmen that there was no available sanctioned vacancy to engage them permanently and as soon as permanent vacancy became available, all of them were appointed against the permanent vacancy on probation for a period of one year and subsequently confirmed on the post. It is specifically stated that the workmen in question are land losers' nominees and they were offered temporary appointment on compassionate ground as the concerned land losers requested for employment of their nominees. As soon as permanent vacancy arose they were appointed against permanent vacancy and accordingly fresh appointment letters were issued incorporating the terms and conditions which were accepted by them without any objection. Regarding the three persons, namely, Sk. Mosadur Rasif, Mosaraf Hossain and Md. Rahamat Ali Khan as stated on behalf of the workmen, it is stated that they applied for employment against the advertisement issued by the DCC. The selection committee took interview of the said workmen and on the basis of the recommendation of the said selection committee they were appointed against permanent vacancy. They formed a separate class than that of the concerned workmen and the case of the concerned workmen cannot be equated with that of these three persons. Management has denied the contents of the letter of the union dated 02-09-1999 addressed to the Assistant Labour Commissioner in this connection. Management also denied the statements of the union in the statement of claims in *seriatim*. Management accordingly has prayed that present reference be answered by holding that it is not maintainable and in any event the workmen are not entitled to any relief as prayed for by the union.

4. A rejoinder is also filed by the union denying the contentions of the management and reiterating its own case. It is not so material to give details of the same.

5. Two witnesses have been examined on behalf of the workmen in support of their case. WW-1, Sudip Kumar Banerjee is one of the concerned workmen. He has stated in his evidence that he is working in DCC since October 1987 as Category-I Mazdoor and at the time of appointment he was given an appointment letter and his service was extended from time to time. At the time of entering into such service he was interviewed and medically examined. On 24-10-1988, however, he was given a fresh appointment letter without taking into consideration of his past service. Since 1988 there was no interruption in his service. He has named three persons viz. Sk. M. Rasid, Md. Hossain and M.R. Ali Khan who entered service after him in the same category and grade and their services were regularized as they were appointed permanently. Those

persons were shown as seniors to him in the seniority list. According to him the post on which he was appointed was permanent post. He has prayed for his due seniority with all consequential benefits. In cross-examination the witness has admitted that his originally appointed on temporary basis for three months. He has not been able to say if permanent vacancy existed in DCC at that time. He has stated that a Model Standing Orders was applicable. On 24-10-1988 he was permanently absorbed and this time no separate interview was held. In the appointment letter given to him in this regard there was a probationary period of one year. He, however, does not know how the three persons named by him were employed in DCC. He has denied that the Company has done no wrong and has not adopted any unfair labour practice.

WW-2, Anup Ghosh is the vice-president of the union who knows all the three concerned workmen. He has stated in his evidence that all of them are working in DCC and they are members of the union. They were appointed as their lands were acquired by the Company after interview and medical test. Other persons were similarly employed on permanent basis on the ground of their land being acquired. These concerned workmen, however, appointed on temporary basis being extended from time to time. They were also confirmed in service in permanent post, but at the time of making them permanent their past services were not considered and counted. He has further stated that Sk. M. Rashid, Md. Mussaraf Hossain and Mr. Rahamat Ali Khan were appointed on permanent basis the concerned workmen were working on temporary basis. All these three persons and the concerned workmen in this case are in the same category of Category-I, General Mazdoor. They demanded on behalf of the union to consider the back services of these three persons and there were bipartite discussions also in this regard. Thereafter the union had to take up the matter before the Regional Labour Commissioner and the conciliation having failed, the matter has been referred to this Tribunal. It is prayed that back services of the concerned three workmen be considered for their permanent employment. In cross-examination the witness has stated that he joined DCC in 1988 and the concerned workmen were temporarily engaged on 14th and 15th October, 1987 initially for three months. He has not seen the papers regarding the medical examination of the concerned workmen at the time of their appointment. He gathered from the previous official records that permanent vacancies were available at that time. He, however, has admitted that the three persons named by him were appointed in 1988 on the basis of the advertisement and the concerned workmen had not so applied on the basis of advertisement. He has also admitted that Sudip Banerjee and Zarina Khatun are Grade-I Clerks and Gautam Mukherjee is Technical Inspector at present. He has further admitted that the claim of the management in paragraph 9 of the written statement is substantially correct.

6. Management, on the other hand, has examined S.B. Das Mahapatra, MW-1 the Personnel Manager as its sole witness. In his evidence he has stated that Sudip Banerjee and Ms. Zarina Khatun are the Clerks in Special Grade and Gautam Mukherjee is a Technical Inspector and they were directly employed in the organization. Initially they were appointed as temporary employees in Category-I on casual basis for a period of 3 months only and thereafter such engagements were extended from time to time temporarily. They were absorbed in the permanent vacancy with effect from 15-10-1988 in Category-I and before appointment they were interviewed and found fit. Regarding three other persons, namely, Sk. Masudur Rashid, Mussaraf Hossain and Rahamat Ali Khan he has stated that they were appointed in Category-I through open advertisement in the year 1987-88. According to him the concerned workmen in this case are not entitled to any relief. In cross-examination the witness has stated that all the concerned workmen were originally appointed in temporary capacity through a letter dated 08-10-1987 and they were permanently absorbed on 15-10-1988, but their seniority were considered from the date of their regularization in permanent cadre. He has stated that the three persons named earlier were appointed as Electricians subsequent to the concerned workmen. He has further stated that the concerned workmen were not informed before their regularization that their previous service as casuals will not be taken into consideration for the purpose of seniority. According to him different cadres have different seniority and there is no rule regarding fixing of seniority of a workman at the initial stage.

7. Certain documents have been filed and exhibited on behalf of both the parties. From the documents exhibited on behalf of the workmen Ext. W-1 is the appointment letter dated 08-10-1987 issued by DCC to Shri Sudip Kumar Banerjee one of the concerned workman on temporary basis. Ext. W-2 is the joining report dated 14-10-1987 of the said workman. Ext. W-3 to W-3/3 are four letters of different dates issued by DCC to the said workman regarding extension of his service. Ext. W-4 is the letter of permanent appointment of the said workman dated 15-10-1988 on probation. Ext. W-5 is the letter of temporary appointment dated 08-10-1987 issued by DCC to Shri Gautam Mukherjee, another concerned workman. Ext. W-5/1 is letter of permanent appointment letter of Mukherjee on probation. Ext. W-6 to W-6/3 are four letters of different dates issued by DCC to said Shri Mukherjee regarding extension of his temporary service. Ext. W-7 is the letter of temporary appointment dated 08-10-1987 issued by DCC to Ms. Zarina Khatoon another concerned workman. Ext. W-8 to W-8/2 are letters of different date issued by DCC to her regarding extension of her temporary service. Ext. W-9 is the letter of permanent appointment dated 15-10-1988 issued by DCC to her on probation. Ext. W-10 is the letter of joining of said Ms. Zarina Khatoon dated 23-05-1989. Ext. W-11 is the

letter dated 17-12-1997 of the DCC to the union. Exts. W-12 to W-12/2 three letters of the union addressed to the A.L.C.(C), Kolkata dated 10-11-1998, 02-02-1999 and 27-2-1999 respectively. Ext. W-13 is the letter dated 10/15-12-1998 of the DCC to the A.L.C.(C), Kolkata. Ext. W-14 is the letter dated 18-12-1999 of the South Eastern Coalfields Ltd. addressed to the A.L.C.(C), Kolkata. Exts. W-15 to W-15/2 are three appointment letters dated 1/2-03-1988, 1/2-03-1988 and 27/30-04-1988 issued by the DCC to S/Shri Masoudur Rashid, Md. Mossaraf Hossain and Md. Rahamat Ali Khan respectively.

On the other hand, out of the documents exhibited on behalf of the management, Ext. M-1 is the acceptance letter dated 15-10-1987 of Shri Gautam Mukherjee submitted to the DCC alongwith some affidavits and undertakings. Ext. M-2 is the joining report dated 15-10-1987 of Ms. Zarina Khatoon submitted to the DCC alongwith some affidavits and undertakings. Ext. M-3 is an Award dated 15-10-1987 passed by this Tribunal in Reference No. 39 of 1988. Ext. M-4 is an officer dated 06-12-1996 issued by the DCC.

8. On the perusal of the aforesaid facts and evidence led by the parties in this case it is evident that the three workmen, namely, Sudip Kumar Banerjee, Jarina Khatoon and Gautam Mukherjee who were appointed as Category-I Mazdoor under DCC have claimed the relief for considering their initial date of entry to the said post for the purpose of regularization which according to them have not been so considered and allowed by the management in this regard. Most of the facts relating to their appointment on the alleged date of their entry in the service, i.e., 08-10-1987 under DCC and their permanent absorption on 15-10-1988 for this are admitted to both the sides, except the claim of the concerned workmen to be counted from the date of their initial date of entry in the service or otherwise for the purpose of their seniority in this connection. According to all of them in case their previous service w.e.f. 08-10-1987 as casual was not taken into consideration for the purpose of seniority or ignoring their services in temporary capacity at the time of permanent absorption, they were going to suffer in their seniority with others and also for the benefits of provident fund, promotion, pension, gratuity etc. It has also been stated on their behalf that there had been no interruption in their services since the date they were initially so appointed by the management on 08-10-1987. The management made a discrimination in their case with the other employees so appointed by it, i.e., Sk. Masoudur Rashid, Mossaraf Hossain and Md. Rahamat Ali who all had entered in the service after their date of entry in the service, i.e., 08-10-1987 though they were also appointed in the same category and grade on 15-10-1988 for this purpose but these persons have been shown to be seniors in the seniority list by ignoring the seniority of these concerned workmen ignoring the initial date of their entry in the service

in the Company in their case. This act of the management is thus challenged saying it to be clearly illegal, unjust and improper. For this reliance has been placed on the case law of the Hon'ble High Court of Andhra Pradesh in A. Yegneswarudu & Ors. V. A.P.S.R.T.C. & Ors., 1993-II-LLJ-263 at pages 270 and 271 by submitting that since the workmen concerned have rendered a continuous and uninterrupted service from their initial date of entry, they are entitled to get their seniority from the date of their first entry to the service in this regard, i.e., 08-10-1987. The observations made in paragraph 10 in this connection particularly has been referred for this which says that—

“....having rendered continuous and uninterrupted service since the dates of their respective promotion and such a long tenure cannot be deprived for reckoning seniority, the petitioners are entitled to reckon their seniority from the dates of their first entry into service into the said promotion posts of Assistant Traffic Managers and Assistant Mechanical Engineers and above the direct recruits who were recruited later than the petitioners. Otherwise there will be anomalies as are manifest from a look of the respective dates of entry into service vis-a-vis the petitioners and the direct recruits respondents.”

Another decision of the Hon'ble Apex Court in H.S. Atwal & Ors. V. Union of India & Ors., 1994(69)FLR 725 is referred to saying that it is a well-settled legal principle about the seniority in the absence of rule or executive instructions fixing the interse seniority is the length of service which could be the basis of fixing the same. Yet another case L.C. Singh v. State of Manipur & Ors., 1999(83)FLR 770 the Hon'ble Apex Court has been referred stating the same legal principle to be applied for determining the seniority based on length of service. Paragraph 11 of the observations made therein has been referred by the representative of the workmen in this regard to say that:

“11. Seniority itself based upon length of service is an acquired right of an employee which entitles him to be considered for further promotion. It is generally regulated by service Rules. Such Rules normally provide for determining seniority with reference to the date of appointment to the class, category and grade to which the appointment is made. It is determined only on the basis of the length of service. Such length of service may be on the basis of the difference of continuous officiation or on the basis the difference of substantive appointment in the cadre or grade or service which may be reckoned from the date of confirmation on the basis of regularization.”

Thus, it is argued on behalf of the workmen that the initial date of their entry in the service, i.e., 08-10-1987 has to be taken into account for the purposes of determining their seniority in the organization which should not have been so ignored by the management in this regard.

9. The learned Advocate for the management, however, has submitted that the claim and contentions of the workmen has no such relevancy to the facts of the present case which stands on an altogether different footings. It is submitted that the concerned workmen were in fact initially appointed only for specific period of three months in the organization which was extended from time to time as per its requirement. The documents filed on behalf of the workmen itself go to show that it was for specific period only. All the workmen were temporarily so appointed for the aforesaid specific period in all for three months that was subsequently extended from time to time by the management in this regard. They were so engaged temporarily as there was no such vacant post available at that time not they were appointed as such against any such sanctioned vacancy being available in the organization. The question of their seniority or regularization on any such post did not arise at all in their favour. Moreso, the workmen could not so claim the seniority on the basis of such temporary appointment which is also so admitted by them as well in this regard. So for as the appointment of the other three workmen viz, Sk. Masodur Rashid, Mossarof Hossain and Md. Rahamat Ali referred to above on their behalf, the case of the concerned workmen is not at par with them as they were appointed after they got their selection after following the regular selection process on 15-10-1988. They had applied for employment after advertisement was issued by the DCC and the Selection Committee after taking the interview had recommended their case for appointment alongwith the workmen concerned who too had appeared and were selected for this post on 15-10-1988. The case of the concerned workmen as per their own documentary and oral evidence on the contrary only go to show that earlier to this they were engaged only on temporary basis not against any sanctioned vacancy which might have been so available to them on 8-10-1987 as such as it is so claimed by them for this purpose. On the other hand their appointment was made at that time in terms of Model Standing Orders as temporary workmen who were just engaged for some temporary for a limited period only. It is evident that as soon as permanent vacancy did arose they too were so appointed alongwith others against a permanent vacancy and so fresh appointment letters had been issued to them like others with terms and conditions as so mentioned therein for this purpose and it was also so accepted by the concerned workmen as well in this regard without any objection being so raised by them at that time.

10. Learned Advocate for the management has referred to the recent Constitutional Bench Judgment of the Hon'ble Apex Court in Secretary, State of Karnataka & Ors. V. Umadevi (3) & Ors., (2006) 4 SCC 1 wherein the Hon'ble Apex Court has clearly made its observations about the settled legal principles to be applied for such appointment to be made by the statutory organizations

and the rights available to such persons for regularization, absorption etc. for the same. In paragraph 48 of it the Hon'ble Apex Court in so many words has stated that:

“.....No right can be founded on an employment on daily wages to claim that such employee should be treated on a par with a regularly recruited candidate, and made permanent in employment, even assuming that the principle could be invoked for claiming equal wages for equal work. There is no fundamental right in those who have been employed on daily wages or temporarily or on contractual basis, to claim that they have a right to be absorbed in service. As has been held by this Court, they cannot be said to be holders of a post, since, a regular appointment could be made only by making appointments consistent with requirements of Articles 14 and 16 of the Constitution. The right to be treated equally with the other employees employed on daily wages, cannot be extended to a claim for equal treatment with those who were regularly employed. That would be treating unequal as equals. It cannot also be relied on to claim a right to be observed in service even though they have never been selected in terms of the relevant recruitment rules. The arguments based on Articles 14 and 16 of the Constitution are therefore overruled.”

The learned Advocate for the management has further relied upon yet another decision of the Hon'ble Apex Court in Post Master, General Kolkata & Ors. V. Tutu Das, (2007) 5 SCC 317 wherein the Hon'ble Court after relying upon its earlier decision in B.N. Nagarajan v. State of Karnataka, (1997) 4 SCC 507 has so observed that:—

“.....the words 'regular' or 'regularization' do not connote permanence and cannot be construed so as to convey an idea of the nature of tenure of appointments. They are terms calculated to condone any procedural irregularities and are meant to cure only such defects as are attributable to methodology followed in making the appointments. This Court emphasized that when rules framed under Article 309 of the Constitution are in force, no regularization is permissible in exercise of the executive powers of the Government under Article 162 of the Constitution in contravention of the rules.....”

The learned Advocate for the management as such submitted that the claim of seniority of the concerned workmen being so based on their initial date of entry based on such temporary appointment w.e.f. 8-10-1987 can't be taken into account as this was not on the basis of any such selection process undertaken by the Company against any sanctioned vacancy through any selection process which in fact was subsequently so made after inviting applications through proper advertisement and the concerned workmen like other workmen also had so applied in that process and

not got their selection too as it was so made by the organization in this case. The Hon'ble Apex Court for his has also held that appointment made under the scheme and de hors the rules, that services cannot be tagged for seniority as it was so observed in paragraphs 2 of its decision in Satya Narain & Anr. V. Satish Kumar & Ors., JT 2001 (5) 556 in so many words by the Hon'ble Apex Court that:

“.....The statutory provision being there governing the recruitment to the post of clerks, the appointment of the appellants under the Scheme was de hors the Rules and therefore, by no stretch of imagination, such appointment made de hors the rules could be tagged on to the period which they have rendered subsequent to their absorption in the cadre.”

11. Considering the aforesaid legal and factual aspect of the matter involved in this reference it is evident that as per schedule of reference the action of the management has been only challenged on behalf of the workmen just for not considering their initial date of entry in service for the purpose of regularization which does not in any way concern them about their submissions made so far as to fix their interse seniority with the other workmen who had been so appointed alongwith them after going through a selection process against the sanctioned vacancy in this regard. The case law cited on behalf of the workmen as such has got no relevancy to the facts of the present case as the appointment of the concerned workmen earlier to their appointment on the basis of the selection process alongwith the other workmen in this regard can not be said to be at par with other workmen so appointed on 15-10-1988 since their initial appointment admittedly had not been through any selection process on any sanctioned vacancy and as such it did not confer any legal right upon them to be permanently absorbed on the basis of that initial entry in the service which cannot be a basis of their seniority on the said post for which they had been only engaged temporarily for a limited period in terms of Model Standing Orders for the same in this connection. The question of their seniority or regularization as such on the basis of such initial entry in the service for temporary period did not so arise at all in their favour. It is therefore not relevant to the claim of these workmen. The other workmen, namely, Sk. Masodur Rashid, Mossarof Hossain and Md. Rahamat Ali with whom they have claimed their seniority were all appointed subsequently alongwith them as fresh appointee after they got their selection through a regular selection process on 15-10-1988, a fact which is also not so disputed by the workmen themselves in this connection. Admittedly they all had so applied for their employment after the advertisement was issued by the DDC and the selection committee after taking their interview etc. had recommended their case for appointment and these workmen had also appeared and got their selection for their posting.

12. Now the legal position is well settled by the Hon'ble Apex Court by Uma Devi case (*supra*) which make it clear that adherence to the rules of equality in public employment is a basic feature of our Constitution. It has been clearly held therein that unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. Similarly in other case, Madhyamik Shiksha Parishad, U.P. v. Anil Kumar Mishra, (2005) 5 SCC 122 the Hon'ble Apex Court has also held that ad hoc appointees/temporary employees engaged on ad hoc basis and on piece-rate basis for certain clerical work and discontinued on completion of their task, were not entitled to reinstatement or regularization of their services even if their working period ranged from one to two years. Apart from that in an earlier case in State of H.P. v. Suresh Kumar Verma, (1996) 7 SCC 562 the Hon'ble Apex Court also held that a person appointed on daily-wage basis was not an appointee to a post according to rules. At page 563 paragraph 2 therein it was clearly observed that—

“It is settled law that having made rules of recruitment to various services under the state or to a class of posts under the State, the State is bound to follow the same and to have the selection of the candidates made as per recruitment rules and appointments shall be made accordingly. From the date of discharging the duties attached to the post the incumbent becomes a member of the services. Appointment on daily-wage basis is not an appointment to a post according to the rules.”

13. In view of the aforesaid facts and circumstances as discussed above, it is found that the claim as so made and set-up by the workmen for the purpose of their regularization in the service by taking their initial date of entry as they were so appointed temporarily before their regular selection in the service to claim for seniority can't be upheld. The management has not committed any such irregularity or illegality in this regard by ignoring their alleged initial date of entry to be a basis of their entry in the service which could not be said to be so relevant either for their appointment to the post or for their regularization as there was no sanctioned post or vacancy at the time of their initial appointment on 8-10-1987 which was not made through any selection process for a sanctioned vacancy in this regard. In fact, these workmen like other workmen with whom they have claimed their seniority had been so appointed subsequently after following the due process of selection when the vacancy had been so available to the management for this purpose. The claim made on behalf of the workmen as such is not tenable and it cannot be allowed as so prayed by them in this connection.

14. In the result the action of the management of Dankuni Coal Comptes in not considering the initial date of entry of Sri Sudip Kumar Banerjee, Miss. Jarina Khatum

and Sri Gautam Mukherjee, Category-I Mazdoor for the purpose of regularization etc. does not suffer from any illegality at all. These three workmen as such are held to be not entitled to any relief so prayed by them as per schedule of reference in this regard. The reference is answered accordingly.

This is my Award.

C. P. MISHRA, Presiding Officer

Dated, Kolkata,
The 18th December, 2008.

नई दिल्ली, 12 जनवरी, 2009

का.आ. 215.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधतात्र के संबद्ध नियमों और डनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट (संदर्भ संख्या 12/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-1-2009 को प्राप्त हुआ था।

[सं. एल-12011/1/2005-आईआर(बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 12th January, 2009

S.O. 215.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2005) of the Central Government Industrial Tribunal-Cum-Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the management of Central Bank of India, and their workmen, received by the Central Government on 12-1-2009.

[No. L-12011/1/2005-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SRI R. G. SHUKLA PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, SHRAM BHAWAN A.T.I.
CAMPUS UDYOG NAGAR, KANPUR.

Industrial Dispute No. 12 of 2005

In the matter of dispute between—

The President
Central Bank Shoshit Employees Association,
96. D Shyam Nagar,
Kanpur

And

The Regional Manager,
Central Bank of India,
Regional Office,
117/H-1/240 Pandu Nagar,
Kanpur.

AWARD

1. Central Government MOL, New Delhi vide its notification no. L-12011/1/2005/IR (B-II) dated 21-4-05, has referred the following dispute for adjudication to this tribunal—

Whether the action of the management of Central Bank of India I depriving monitory benefits to Sri Sunil Kumar and Sri Madhup Kumar from 1/2 pay to full time scale is legal and proper? If not, relief these employees are entitled?

2. The claim as set up by the union on behalf of the workmen S/Sri Sunil Kumar and Madhup Kumar is that former was selected by the opposite party bank and was given his posting at Parvati Bagla Road Branch of the opposite party on 27-7-88 at Rs. 100 per month and like wise in the year 1991 he was given his posting at one and half wage and was posted at Ashok Nagar Branch of the Bank, where he worked till 1997. Thereafter Sri Sunil Kumar workman was transferred to Bhusatoli Branch of the opposite party bank on 13-7-97.

3. It is the further case of the Union that workman Madhup Kumar was initially engaged on 27-7-88 at Dipti-ka-Parso Branch of the opposite party bank and after working about 6 months his services were transferred to Sisamau Branch of the Bank in the year 1989 at one third scale wage. The workman Madhup Kumar was again transferred to Yashoda Nagar Branch of the Bank at 1/2 of scale wages.

4. It has also been pleaded by the union in support of the claim of the workmen that apart from performing the job of part time sweeper these workers have also performed the work of full time peon in the branch of the bank. It is also alleged that the opposite party conducted written test of part time sweeper for converting them full time peon in the year 1993 and declared list of 36 candidates to be selected and posted as peon. The name of both the workers figured at serial no. 21 and 22. It is further alleged that the opposite party at first instance offered the post to the candidates figuring from serial no. 1 to 19. The opposite party ignoring the name of both the workers offered the post of peon to the employees appearing at serial numbers 28, 32, 33, and 36 whereas both the workers are senior to the persons offered the post. The work and conduct of both these workers remained ever satisfactory still their genuine claim was not considered by the opposite party bank. Lastly it has been pleaded that the whole action of the opposite party as above is highly discriminatory, therefore, both the workers are entitled to be posted as full time peon and they be also held entitled for difference of wages with effect from 1993.

5. The opposite party bank contested the claim of the union on a number of grounds inter alia alleging that based on a settlement arrived between the union and the

management, for conversion of Part Time Safai Karamchari into full time peon bank issued circular dated 27-5-03. It is not disputed by the bank that it conducted a test in the year 1993 on the basis of guidelines issued by Central Office of the bank and as per existing vacancy 17 persons were offered the post of peon during the period 1996 to 1999 and according to the policy of the bank the posting of part time safai karamchari should be in the same area where he was already working. This was done with the view that such promoted employee might not have to face difficulty after getting promotion. It is also admitted by the opposite party that on the basis of above policy candidate appearing at serial no. 24 was given posting under Varanasi Region, candidate appearing at serial no.32 was given posting under Gorakhpur Region, candidate appearing at serial no.33 and 36 were given their posting under Deoria Region. It is also alleged that the fact that penal prepared at Zonal Level have been converted into Regional Level and vacancy available at regional level shall be filled by the candidates posted there and thereafter existing empanelled list is to be cancelled and since there existed no vacancy in the Kanpur Region therefore, penal for Kanpur Region as per policy of the bank was cancelled.

6. On the basis of above, it has been prayed that the claim of the union is devoid of merit and is liable to be rejected.

7. After exchange of pleadings both parties adduced oral as well as documentary evidence in support of their respective claims and counter claims, but in view of admitted position tribunal is not inclined to detail the same as the reference can be decided only on the basis of settlement. A perusal of the settlement would reveal the fact that earlier panel was prepared at zonal level but subsequently it was converted into regional level. Admittedly both the concerned workmen involved in the case were working under Kanpur Region, where there existed no vacancy of open. If there was no vacany under Kanpur Region of the opposite party bank, the claim of the union totally appears to be devoid of merit and on the basis of the same no relief can be granted to the workers involved in the present reference. Moreover, it is settled position of law that once an agreement is entered into between the parties the same is binding on the parties and no party to the settlement can be allowed to back out from the settlement or raise hue and cry against the settlement. It appears that the union has virtually raised the dispute on such an issue which in fact was never existed between the union or the bank, therefore, it can be safely held that the union has tried to enter into the shoes of others on flimsy grounds.

8. In view of discussions made above, it is held that the claim of the union is devoid of merit and is liable to be rejected. Accordingly it is further that the union cannot be granted relief as claimed by him.

R. G. SHUKLA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 216.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अश्व प्रजनन फॉर्म के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. I, चंडीगढ़ के पंचाट (संदर्भ संख्या 6/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/84/2006-आईआर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 216.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 6/2008) of the Central Government Industrial Tribunal-Cum-Labour Court, No. 1 Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud' and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/84/2006-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I
CHANDIGARH

Case No. I. D. 6/2008

Shri Hoshiara S/o. Shri Kishan R/o Tilak Nagar, Near Baba Balak Nath Mandir, Gali No.2 H. No. 253 Hissar

...Applicant

Versus

The Commandant, Equine Breeding Stud. Hissar

...Respondent

APPEARANCES

For the workman: Shri D.R. Kaith

For the management: Shri K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government vide notification No. L-42012/84/2006-IR (DU), dated 28-8-2008 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Equine Breeding Stud. Hissar in terminating the services of

the workman Shri Hoshiara S/o Shri Kishan Beldar-cum-Chowkidar w.e.f. 12-2-2004 is just and legal? If not, what relief he is entitled to?"

2. The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman on condition of apologizing to the then commandant, will be reinstated in to service without any backwages but protection of seniority. In view of the above settlement, the workman withdraw the present reference in Lok Adalat.

Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh
19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 217.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जी.ई. शिपला हिल्स, कसौली एण्ड सी डब्ल्यू ई, चंडीगढ़ के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 91/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[स. एल-14012/16/97-आईआर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 217.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 91/98) of the Central Government Industrial Tribunal-cum-Labour Court, No. I Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of G. E., Shimla Hills, Kasauli & CWE,

Chandigarh and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-14012/16/97-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I
CHANDIGARH

Case No. I. D. 91/98

General Secy., MES, Workers Union Area Committee,
Ambala (Haryana)- 133001.

...Applicant

Versus

G. E., Shimla Hills, Kasauli & CWE, Chandigarh
(H.P.)-73204

...Respondent

APPEARANCES

For the workman: None

For the management: Shri Sanjeev Sharma

AWARD

Passed on : 10-12-08

Central Government vide Notification No. L-14012/16/97-IR (DU), dated 16-4-1998 has referred the following dispute to this Tribunal for adjudication.

"Whether the action of G. E. Shimla Hills, Kasauli and CWE, Chandigarh denying promotion to Sh. Thakur Dass as Cabinet Maker w.e.f. 24-5-84 i.e. the date of promotion of his juniors as Cabinet Maker is legal and justified? If not, to what relief the workman is entitled?"

2. None is present on behalf of the workman. Learned representative of the management is present. From last many days fixed for the hearing of this case the workman is not ensuring his presence. The reference was referred by the Central Government in the year 1998. Several opportunities have been given to the workman but he is not availing the opportunity of being heard. It is already 1.15 pm. At this stage, I have no option otherwise then to dismiss the claim of workman in reference for non-prosecution and return the reference to the Central Government as such. Accordingly, the reference is returned as such. Let the Central Government be informed. File be consigned.

Chandigarh.
10-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 218.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अश्व प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ सं. 67/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/247/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 218.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.67/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-42012/247/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 67/97

Sh. Lal Singh S/o Sh. Kishan Singh, C/o The President,
Distt. Agricultural Workers Union, Gali No. 5, H. No. 123,
Jawahar Nagar, Hissar. (Haryana.).

...Applicant

Versus

The Commandant, Equine Breeding Stud Hissar-125001

...Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik

For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government *vide* Notification No. L-42012/247/90-IR (DU) dated 30-12-1996 was referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Lal Singh S/o Shri Kishan Singh Oji Ram daily rated worker is just, fair, and legal and whether the action of the management

of Equine Breeding Stud, Hissar in denying equal work to the workman is just and fair? If not, to what relief the workman concerned is entitled to?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the bases of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 219.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अश्व प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ सं. 63/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/243/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 219.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 63/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-42012/243/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 63/97

Sh. Kashmir Singh S/o Sh. Bachan Singh C/o The President, Distt. Agricultural Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar (Haryana).

... Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik

For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government vide Notification No. L-42012/243/90-IR (DU) dated 30-12-1996 referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Kashmir Singh S/o. Shri Bachan Singh daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre Lok Adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the State and applicable on station. The work shall be provided on the basis of the

previous experience, if available. On this assurance, the workman withdrew the reference in Lok Adalat.

Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh : 19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 220.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की बारा 17 के अनुसरण में केन्द्रीय सरकार अश्व प्रजनन फॉर्म के प्रबंधनतंत्र के संबद्ध नियमों और कानून कर्मकारों के बीच, अनुबन्ध में लिंटिट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक विविहरण फॉर्म न्यायालय नं. 1, चंडीगढ़ के पंचायत (संदर्भ नं. 57/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/233/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 220.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 57/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/233/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 57/97

Smt. Kaushalya W/o Sh. Dalip Singh, C/o The President, Distt. Agricultural Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar. (Haryana).

... Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik

For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government *vide* Notification No. L-42012/233/90 IR (DU) dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Smt. Kaushalya W/o Shri Dalip Singh daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre Lok Adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh : 19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 221.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अथवा प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अम न्यायालय नं. 1, चण्डीगढ़ के पंचाट

(संदर्भ सं. 53/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/268/90-आईआर (डीब)]

अध्यक्ष सूचर, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 221.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref No. 53/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/268/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. LD. 53/97

Smt. Chandro W/o Sh. Rameshwar, C/o The President,
Distt. Agriculture Workers Union, Gali No. 5, H. No. 123,
Jawahar Nagar, Hissar. (Haryana).

... Applicant ..

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondents ..

APPEARANCES

For the workman : Sh. Raj Kaushik

For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government *vide* Notification No. L-42012/268/90 IR (DU) dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Smt. Chandro W/o Shri Rameshwar daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the bases of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 222.—आंशिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में केन्द्रीय सरकार अर्थ प्रजनन फॉर्म के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट आंशिक विवाद में केन्द्रीय सरकार आंशिक अधिकारण/प्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 51/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/265/90-आईआर (डीप)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 222.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.51/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-42012/265/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. LD. 51/97.

Shri Krishan Kumar S/o Sh. Itwari, C/o The President, Distt. Agricultural Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar, (Haryana.)

... Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

... Respondent

APPEARANCES

For the Workman : Sh. Raj Kaushik

For the Management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government *vide* Notification No. L-42012/265/90 IR (DU) dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Krishan Kumar S/o Shri Itwari daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair? If not, to what relief the workman concerned is entitled to?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full back wages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit

accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the bases of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 223.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अश्व प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 47/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/223/90-आईआर (डीयू)]

अंजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 223.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.47/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-42012/223/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 47/97

Shri Arun Singh S/o Sh. Fatha Singh, C/o The President,
Distt. Agriculture Workers Union, Gali No. 5, H. No. 123,
Jawahar Nagar, Hissar. (Haryana.)

... Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

... Respondent

APPEARANCES

For the Workman : Sh. Raj Kaushik

For the Management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-08

Central Government vide Notification No. L-42012/223/90 IR (DU) dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Arun Singh S/o Shri Fatha Singh a daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required bases. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the bases of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-08

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 224.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अश्व

प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ सं. 39/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/264/90-आईआर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 224.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/264/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I.D. 39/97

Shri Dalip Singh S/o Sh. Jagar Singh, R/o Vill. Riran Wali P.O. Nyoli Kalan Distt. Hissar-125001

...Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

...Respondents

APPEARANCES

For the Workman : Sh. Raj Kaushik

For the Management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-2008

Central Government *vide* Notification No. L-42012/264/90-IR (DU), dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry

under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Dalip Singh S/o Sh. Jagar Singh, daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required basis. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 225.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अथवा प्रजनन फॉर्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ सं. 11/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/210/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 225.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/210/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 11/97

Shri Malkeet Singh S/o Sh. Kala Singh, C/o The President, Distt. Agriculture Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar. (Haryana.)

.....Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

.....Respondent

APPEARANCES

For the Workman : Sh. Raj Kaushik

For the Management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-2008

Central Government *vide* Notification No. L-42012/210/90-IR (DU) dated 30-12-1996 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar, constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar in terminating the services of Shri Malkeet Singh S/o Sh. Kala Singh, daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair? If not, to what relief the workman concerned is entitled to?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of

the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required basis. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh : 19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 226.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अख्य प्रजनन फार्म के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. 1, चण्डीगढ़ के पंचाट (संदर्भ सं. 3/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07-01-2009 को प्राप्त हुआ था।

[सं. एल-42012/228/1990-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 226.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 3/1997) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud, and their workman, which was received by the Central Government on 07-01-2009.

[No. L-42012/228/1990-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 3/97

Smt. Banto W/o Sh Puran Singh, C/o The President, Distt.
Agriculture Workers Union, Gali No. 5, H. No. 123, Jawahar
Nagar, Hissar (Haryana)-125001.

... Applicant

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik

For the management : Sh. K. K. Takhur

AWARD

Passed on : 19-12-2008

Central Government *vide* Notification No. L-42012/228/90-IR (DU), dated 3-12-96 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar constitute to be that of an industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud. Hissar, in terminating the services of Smt. Banto W/o Shri Puran Singh daily rated workers is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair ? If not, to what relief the workman concerned is entitled to ?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and

when required basis. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Govt. as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh

19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 227.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अश्व प्रजनन फार्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1 चण्डीगढ़ के पंचाट (संदर्भ सं. 35/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/250/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th January, 2009

S.O. 227.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud, and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/250/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case No. I.D. 35/97

Shri Ramesh S/o Sh. Moji Ram,
R/o Vill. Piran Wali. P.O. Nyoli Kalan
Distt. Hissar (Haryana)-125001.

... Applicant

Versus

The Commandant, Equine Breeding Stud,
Hissar-125001

... Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik
 For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-2008

Central Government *vide* Notification No. L-42012/261/90-IR (DU), dated 30-12-96 has referred the following dispute to this Tribunal for adjudication :—

“Whether the activities of the Equine Breeding Stud, Hissar constitute to be that of an Industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud. Hissar, in terminating the services of Shri Ramesh S/o Shri Moji Ram daily rated workers is just fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair? If not, to what relief the workman concerned is entitled to?”

2. The present reference was made by the Central Govt. on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full backwages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre lok adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required basis. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is retrured to the Central Government as settled in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh

19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 7 जनवरी, 2009

का.आ. 228.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अश्व प्रजनन फार्म के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-1, चंडीगढ़ के पंचाट (संदर्भ सं. 31/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/261/90-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 7th Januay, 2009

S.O. 228.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud, and their workman, which was received by the Central Government on 7-1-2009.

[No. L-42012/261/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA,
 PRESIDING OFFICER, CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
 CHANDIGARH

Case No. I.D. 31/97

Shri Fateh Singh S/o Shri Lal Singh C/o. The President,
 Distt. Agriculture Workers Union, Gali No. 5, H.No. 123,
 Jawahar Nagar, Hissar (Haryana)-125001

...Applicant

Versus

The Commandant, Equine Breeding Stud Hissar.-125001

...Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik
 For the management : Sh. K. K. Thakur

AWARD

Passed on : 19-12-2008

Central Government *vide* Notification No. L-42012/261/90-IR (DU) dated 30-12-96 has referred the following dispute to this Tribunal for adjudication :—

"Whether the activities of the Equine Breeding Stud, Hissar constitute to be that of an industry under the ID Act, and if so whether the action of the management of Equine Breeding Stud, Hissar, in terminating the services of Sh. Fateh Singh S/o Shri Lal Singh daily rated worker is just, fair and legal and whether the action of the management of Equine Breeding Stud, Hissar in denying equal wages for equal work to the workman is just and fair? If not, to what relief the workman concerned is entitled to?"

2. The present reference was made by the Central Government on the failure of conciliation proceedings for adjudication of the matter referred in the schedule referred above and the workman prayed for declaring the action of the management as illegal and invalid and for reinstatement in service with full back wages and all consequential benefits in the interest of justice, equity and fair play.

The management turned up and opposes this application.

As per office memorandum dated 5-9-08, this case was fixed in pre Lok Adalat meeting on 19-12-08 for its disposal by adopting the mediation and conciliation mechanism. With the efforts of the Tribunal, the workman agreed to withdraw his reference. It is agreed between the parties that the workman will be provided with job as and when required basis. If any workman is covered under the scheme of regularization, he will be provided the benefit accordingly. The workman will be paid wages as per the wages given to similarly situated workman and on the basis of the rates prescribed by the state and applicable on station. The work shall be provided on the basis of the previous experience, if available. On this assurance, the workman withdraw the reference in Lok Adalat.

Accordingly the reference is returned to the Central Government as settled in Lok Adalat. Central Government be informed. File be consigned to record.

Chandigarh

19-12-2008

G. K. SHARMA, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 229.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, चण्डीगढ़ के पंचाट (संदर्भ सं. 111/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-01-2009 को प्राप्त हुआ था।

[सं. एल-23012/2/2004-आइ आर (सीएम-II)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 229.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref No.111/2K5) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Chandigarh as shown in the Annexure, in the Industrial Dispute between the management of Bhakra Beas Management Board, Bhakra Dam B.B.M.B., Bhakra Power House Circle, BBMB, Bahakra Power House Division, BBMB, and their workmen, which was received by the Central Government on 09-01-2009.

[No. L-23012/2/2004-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. 111/2K5

Registered on: 19-07-2005

Date of Decision: 29-12-2008

Gurdial Chand S/o Shri Ishar Dass, Village & Post Office Handola, Tehsil and District, Una (H.P.)

... Petitioner

Versus

The Chief Engineer, Generation, Bhakra Beas Management Board, Nangal Township, District Ropar, (Punjab).

... Respondent

For the Workman : Sh. R. K. Singh, Parmar, General Secretary, Pb. INTUC, 211-L Brari, Nangal Dam, District Ropar.

For the Management: Sh. Sukhwinder Singh, Law Officer, BBMB, Nangal Township, District Ropar.

AWARD

The parties are present through their representatives.

The representative of the workman Shri R.K.Singh Parmar, has made the statement that the reference is misconceived since the claim of the workman was not against his termination but was for re-employment as Mason, therefore, the reference is misconceived and the same may be disposed of as not contested. However, he has prayed for grant of permission to make fresh claim for adjudication of his grievances under law. The workman, therefore, has withdrawn from contesting the present reference received from Ministry of Labour, Government of India vide their letter No. L-23012/2/2004-IR(CM-II) dated 17-6-2005 which read "Whether the action of the management of Bhakra Beas Management Board, Nangal

Township in terminating the services of Sh. Gurdial Chand S/o Sh. Ishar Dass as Mason is legal and justified? If not, to what relief the worker is entitled and from which date?"

Since the workman has withdrawn from contesting of the present reference and the Management has not opposed the prayer of the workman, therefore, the same is required to be answered. On record there is no evidence except the pleadings of the parties and the statement of the workman and his witness Rajeev Kumar. The workman in his statement has nowhere raised the claim of termination of his services. He has only claimed the grievances of non re-employment. Keeping in view the statement of the representative of the workman, the reference is answered in the terms that the workman has withdrawn from proving that the action of the Management in terminating his services was illegal and unjustified. The workman is, therefore, not entitled to relief. L-23012/2/2004-IR(CM-II), 17-6-2005. He is, however, at liberty to agitate his proper claim before the competent authority, if permitted by the Law and the rules. The award is passed in these terms and the reference is answered. Let a copy of this award be sent to the appropriate Government for necessary action and the file is consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 230.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इक्वाइन ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. II, चण्डीगढ़ के पंचाट (संदर्भ सं. 862/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/246/90-आई आर (डी यू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 230.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 862/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 09-01-2009.

[No. L-42012/246/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer :

Shri Kuldip Singh

Case I.D. No. 862/2k5

Registered on: 9-09-2005

Date of Decision: 18-12-2008

Kulwant Singh son of Harnam Singh C/o President Distt. Agriculture Workers Union, Gali No. 5, H.No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

... Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

... Respondent

For the Workman : Sh. Darshan Singh, President District Agriculture Workers Union, Hissar.

For the Management: Sh. K. K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L42012/246/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Kulwant Singh, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint

statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 231.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी. बी. एम. बी. के प्रबंधतंत्र के सबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/नं. II, चंडीगढ़ के पंचाट (संदर्भ सं. 110/2K5) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-1-2009 को प्राप्त हुआ था।

[सं. एल-23012/4/2004-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 231.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 110/2K5) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the management of BBMB, and their workman, received by the Central Government on 09-01-2009.

[No. L-23012/4/2004-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer

Shri Kuldip Singh

Case I.D. No: 110/2k5

Registered on: 19-07-2005

Date of Decision: 30-12-2008

Ram Lok C/o Shri R. K. Singh, General Secretary, Punjab, INTUC, 211-L, Brari, Nangal Dam, District Ropar.

Petitioner

Versus

The Chief Engineer, Generation, Bhakra Beas Management Board, Nangal Township, District Ropar. (Punjab).

Respondent

For the Workman :	Sh. R. K. Singh Parmar, General Secretary, Pb. INTUC, 211-L Brari, Nangal Dam, District Ropar.
For the Management:	Sh. Tara Singh, Sr. Personnel Officer, BBMB, Nangal Township Sh. R. C. Sharda, Law Officer and Sh. R. C. Attri, Law Officer.

AWARD

The parties are present through representatives. The representative of the workman has made a statement that in case the Management agrees to consider his prayer for engagement as a seasonal Gauge Reader/Daryaiman in the rainy season of 2009 and also agrees to consider his prayer for posting him nearer to his place of residence, keeping in view his family circumstances, he will withdraw from the present reference. Shri R.B.Singh, Executive Engineer BBMB, Nangal Township has made the statement that the Management is already following the policy of engagement of seasonal Gauge Reader/Daryaiman according to their seniority. He further states that the Management shall consider the engagement of the workman for 89 days in the rainy season of 2009. The Policy of the Management is further to post the worker nearer to his residence. He has undertaken that in case the workman is re-engaged, he shall consider the prayer of the workman for posting nearer to his residence keeping in view his family circumstances. The workman is satisfied and withdraws from the reference. In view of the statement of the workman and the Officer of the Management, no dispute survives for consideration. There is no evidence on record to support that the Management had denied the employment of Shri Ram Lok, Gauge Reader/Daryaiman in rainy season of 2003. The reference is, received R No. 23012/4/2004-IR (CM-II) 22-6-2005. Therefore, answered against the workman holding that the workman is not entitled to any relief except the one assured by the Management. Let a copy of the award be sent to the appropriate Government for necessary action and the file be consigned to records after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

AWARD

Counsel for the parties present.

का.आ. 232.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इक्वाइन ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. II, चंडीगढ़ के पंचाट (संदर्भ सं. 829/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/260/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 232.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.829/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 09-01-2009.

[No. L-42012/260/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer

Shri Kuldip Singh

Case ID. No: 829/2k5

Registered on: 8-09-2005

Date of Decision: 18-12-2008

Gurnam Singh S/o Nadar Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar (Haryana)-125 001.

... Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondent

For the Workman : Sh. Darshan Singh, President District Agriculture Workers Union, Hissar.

For the Management: K. K. Mathur, Advocate

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/260/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Gurnam Singh, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 233.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाइन ब्रोडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रिम न्यायालय नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 864/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/216/90-आई आर(डीयू)]
अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 233.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 864/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/216/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 864/2k5

Registered on : 9-09-2005

Date of Decision : 18-12-2008

Bhajan Singh Son of Vajir Singh C/o President, Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001.

... Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

... Respondent

For the Workman

Sh. Darshan Singh, President
District Agriculture Workers
Union, Hissar.

For the Management

Deepali Puri, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the L/Rs of the workman will be provided with the work in terms of the settlement between similarly placed workman held on

14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/216/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Bhajan Singh workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, his L/Rs, are entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 234.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाइन ब्रोडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रिम न्यायालय नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 859/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/240/90-आईआर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 234.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 859/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their

workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/240/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : SHRI KULDIP SINGH

Case I.D. No. : 859/2k5

Registered on : 9-9-2005

Date of Decision : 18-12-2008

Tota Singh Son of Joginder Singh C/o President, Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001.

.....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

.....Respondent

For the Workman Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management K. K. Thakur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/240/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Tota Singh, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably

and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 235.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वार्इन ब्रिडिंग स्टड के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण/अमन्यायालय नं-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 321/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/209/90-आई आर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 235.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 321/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 9-1-2009.

[No. L-42012/209/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 321/2k5

Registered on : 12-8-2005

Date of Decision : 18-12-2008

Resham Singh son of Jeet Singh C/o President, Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001

.....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

.....Respondent

For the Workman	Sh. Darshan Singh, President District Agriculture Workers Union, Hissar.
For the Management	K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workmen held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/209/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Resham Singh, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances, there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

कानून 236.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाइन ब्रिडिंग स्टड के प्रबंधित के सबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम म्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 851/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/251/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 236.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 851/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 09-01-2009.

[No. L-42012/251/90-IR(DU)]

AJAY KUMAR, Desk Officer.

ANNEXURE**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH**

Presiding Officer : Shri Kuldip Singh

Case ID. No. : 851/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Suria Ram Son of Lulu Ram C/o President, Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001

...Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

...Respondent

For the Workman : Sh. Darshan Singh, President
District Agriculture Workers
Union, Hissar.

For the Management : K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workmen held on 14-11-2008. The counsel for the parties and the workman made a joint statement by

which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/251/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Surta Ram, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 237.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वार्डन ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण/श्रम न्यायालय नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 852/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/205/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 237.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 852/2005) of the Central Government Industrial Tribunal-

cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-01-2009.

[No. L-42012/205/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 852/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Gurmail Singh son of Harnam Singh C/o President Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001

...Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

...Respondent

For the Workman Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management K.K. Mathur

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/205/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Gurmail Singh workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On

record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 238.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इवाईन ब्रिडिंग स्टड के प्रबंधनतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं.-II, चण्डोगढ़ के पंचाट (संदर्भ संख्या 856/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/269/90-आई आर(डी यु)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 238.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 856/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/269/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 856/2k5

Registered on : 9-9-2005

Date of Decision : 18-12-2008

Rameshwar Son of Agri Ram C/o President, Distt. Agriculture Workers Union, Gali No.5, H.No.123, Jawahar Nagar, Hissar (Haryana)-125001

...Petitioner

Versus

The Commandant, Equine Breeding Stud,
Hissar-125001

...Respondent

For the Workman : Sh. Darshan Singh, President District Agriculture Workers Union, Hissar.

For the Management : K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and HR of the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/269/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Rameshwar, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 239.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाइन ब्रीडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 857/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/235/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 239.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 857/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/235/90-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 857/2k5

Registered on : 9-9-2005

Date of Decision : 18-12-2008

Parmeshwari wife of Darshan Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H.No. 123, Jawahar Nagar, Hissar (Haryana)-125 001.

Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.

Respondent

For the Workman : Sh. Darshan Singh, President District Agriculture Workers Union, Hissar.

For the Management : K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal

stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/235/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Parmeshwari, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 240.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाइन ब्रीडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 828/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/225/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 240.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 828/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 9-1-2009.

[No. L-42012/225/90-IR(DU)]
AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 828/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Vero Bai wife of Charanjit Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H.No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

.....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125 001

.....Respondent

For the Workman : Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management : K. K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by

the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/225/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Vero Bai workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. She is, therefore, not entitled to the relief claimed by him. However, she is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 241.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इक्वाईन ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 830/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/258/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 241.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 830/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Equine Breeding Stud and their workmen, which was received by the Central Government on 9-1-2009.

[No. L-42012/258/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 830/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Maya wife of Silu Ram C/o President, Distt. Agriculture Workers Union, Gali No. 5, H.No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

.....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001.
.....Respondent

For the Workman Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/258/90-IR(DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Maya, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective

claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 242.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्वार्न ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चांडीगढ़ के पंचाट (संदर्भ संख्या 831/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/255/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 242.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 831/2005) of the Central Government Industrial Tribunal cum Labour Court No. II Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-01-2009.

[No. L-42012/255/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case I.D. No. : 831/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Ram Singh Son of Amar Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H.No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

.....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125 001

.....Respondent

For the Workman : Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management : K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/255/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Ram Singh workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 243.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्वाइन ब्रिडिंग स्टड के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अधिकारी न्यायालय नं.-II, चंडीगढ़ के पंचाट (संरक्ष संख्या 827/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/220/90-आई आर (डीयू)]
अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 243.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 827/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 09-01-2009.

[No. L-42012/220/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer :

Shri Kuldip Singh

Case I.D. No. : 827/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Ram Niwas Son of Maha Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

....Respondent

For the Workman

Sh. Darshan Singh, President
District-Agriculture Workers
Union, Hissar.

For the Management

K.K. Mathur, Advocate,

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is

ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India *vide* their No. L-42012/220/90-IR (DU) dated 30-12-1996 desired of this tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Ram Niwas, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 244.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इम्वाईन ब्रिडिंग स्टड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चण्डीगढ़ के पंचाट (संदर्भ संख्या 826/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को ग्राप्त हुआ था।

[सं. एल-42012/203/90-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 244.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 826/2005) of the Central Government Industrial Tribunal-cum-Labour Court No.-II, Chandigarh as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Equine Breeding Stud and their workman, which was received by the Central Government on 9-01-2009.

[No. L-42012/203/90-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer :

Shri Kuldip Singh

Case I.D. No. : 826/2k5

Registered on : 8-9-2005

Date of Decision : 18-12-2008

Jeet Singh son of Shankar Singh C/o President, Distt. Agriculture Workers Union, Gali No. 5, H. No. 123, Jawahar Nagar, Hissar (Haryana)-125 001

....Petitioner

Versus

The Commandant, Equine Breeding Stud, Hissar-125001

....Respondent

For the Workman : Sh. Darshan Singh, President District-Agriculture Workers Union, Hissar.

For the Management : K.K. Mathur, Advocate.

AWARD

Counsel for the parties present.

As a result of persuasion in the cases similar to the present one, the parties agreed to settle the matter amicably and on 14-11-2008, five of the similar cases pending against the present Management were settled amicably. Today the counsel for the parties, in the presence of the workmen, who were present in the cases pending before this Tribunal stated that the workman is ready to withdraw the reference provided the Management assures that the workman will be provided with the work in terms of the settlement between similarly placed workman held on 14-11-2008. The counsel for the parties and the workman made a joint statement by which the Management agreed that the workman will be provided with the job as and when required basis. They further agreed that in case the workman is covered by the scheme of regularization, temporary status he will be provided with that benefit under rules. It was also agreed by the Management that the workman shall be given the job keeping in view his past experience and he will be paid

the wages on the D.C. rates after the same are approved by the competent authority for District Hissar. After the statement of the counsel for the Management, the workman has requested for withdrawal of reference.

The Ministry of Labour, Government of India vide their No. L-42012/203/90-IR (DU), dated 30-12-1996 desired of this Tribunal to adjudicate upon whether the Management was an industry and whether their action to terminate the services of Jeet Singh, workman was just, fair and legal, and whether the denial of equal wages for equal work to a workman are just and fair and if not, what relief the workman is entitled to? On record there has come the joint statement of the parties by which they have settled the matter amicably and the Management has agreed to provide work to the workman. In view of that the workman has withdrawn from the reference. There is no evidence produced by the parties in support of their respective claims except the joint statement. In the circumstances there is nothing to support the claim of the workman that the Management was an industry, and that the workman was denied the right of equal wages for equal work. Besides the termination of his services by the Management was unjust and illegal. He is, therefore, not entitled to the relief claimed by him. However, he is entitled to the relief which the parties have agreed to by their statement which is made the part of this award, being binding on them in terms of Section 18 of the Industrial Disputes Act, 1947. In the light of what is stated earlier the reference is answered and the award is passed. Let a copy of this award be sent to the appropriate Government of necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 245.—ऑटोग्राफिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री चिथिरा तिरुनल इंस्टिट्यूट फॉर मेडिकल साइंसेस् एण्ड टेक्नोलॉजी के प्रबंध-तत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑटोग्राफिक विवाद में केन्द्रीय सरकार ऑटोग्राफिक अधिकरण/श्रम न्यायालय, अरनाकुलम (कोचीन) के पंचाट (संदर्भ संख्या 336/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-42012/50/2006-आई आर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 245.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 336/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam (Cochin) as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Sree Chithira Tirunal Institute for Medical Sciences and Technology and their workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/50/2006-IR(DU)]
AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. NORBERT, B.A., LL.B., Presiding Officer

(Wednesday the 12th day of November, 2008/ 21st Karthika, 1930)

I. D. 336 of 2006

Workman	:	Shri M. Hariharan, S/o. Shri A. Meenakshi Sundaram Iyer, T. C. 41/401, II Puthen Streets, Manacaud, Thiruvananthapuram. By Adv. M. Ramaswamy Pillai.
Management	:	The Director, Sree Chithira Tirunal Institute for Medical Sciences and Technology, Thiruvananthapuram. By Adv. Sri T. R. Ravi & Asok Shenoy.

This case coming up for final hearing on 7-11-2008, this Tribunal on 12-11-2008 passed the following :

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

“Whether the demand of Shri M. Hariharan for reinstatement and regularisation in the services of the management of Sree Chithira Tirunal Institute for Medical Sciences and Technology, Trivandrum is legal and justified? If yes, to what relief the workman is entitled to and from which date?”

2. The facts of the case in brief are as follows :—

The claimant Shri M. Hariharan claims that he had been working as typist in the management institution from 1-7-1984 till 1996 continuously. But in 1996 the management awarded typing work to M/s. Pitman's Phonetic Institute, Trivandrum for a period of 2 years. Thus the management denied employment to the claimant from 1996. The claimant was doing the job of a regular typist for 14 years. The work is perennial in nature. He was paid by the management. The claimant is qualified for the job. The action of the management in denying job to the claimant is illegal and is entitled to be reinstated and regularised.

3. According to the management the claimant was not an employee of the management institute. The management had awarded the typing contract to M/s. Pitman's Phonetic Institute, Trivandrum. It is not correct to say that the claimant was a contract typist from 1984 to 1998. No contract was awarded to the petitioner. On the other hand the petitioner was the Manager of

M/s. Pitman's Phonetic Institute. The remuneration was fixed on piece rate basis. Contracts were awarded after inviting tenders by publication in newspaper and displaying notices in various Government organisations. M/s. Pitman's Phonetic Institute was the successful tenderer. The claimant was never paid wages by the management directly. Payment is made to the contractor. M/s. Pitman's Phonetic Institute was one among the institutions, which had submitted tenders for contract job. It is not correct to say that the typing work is perennial in nature. The contract with M/s. Pitman's Phonetic Institute ended on 25-11-1998. The claimant can have no claim against the management. If at all he has any claim it has to be made against M/s. Pitman's Phonetic Institute. The claimant is not entitled for any relief.

4. In the light of the above contentions the following points arise for consideration :

1. Whether the claimant is a direct employee of the management or a contract worker?
2. Is he entitled for reinstatement and regularisation?

No evidence is adduced on either side.

5. Points 1 & 2 :— Though the worker claims that he has been working from 1984 to 1996 as a typist in the management Sree Chithira Tirunal Institute for Medical Sciences and Technology, Trivandrum, his contention in the claim statement is otherwise.

6. Para 3, 4 and 5 of claim statement reads :—

“Normally the Director of Institution invites quotations for contract work from the reliable persons likewise for the typist job also the Director was inviting quotations every year.”

“On the basis of invitation for quotation the claimant has applied for the same. After due consideration the claimant was provided with typist job from 1-7-1984 to 31-3-1989 and from 10-8-1989 till 1996

“In fact the claimant was awarded to the claimant after inviting quotations every year. This was the practice followed by the Institute for more than 14 years.”

7. Thus the very contention of the claimant is that he was a contract labour. Whereas the management does not admit this. According to the management job contract was given to M/s. Pitman's Phonetic Institute, Trivandrum and not to the workman. However the management admits that the workman was the Manager of Pitman's Institute. There are 9 documents annexed to the claim statement. Annexure-III is contract awarded to M/s. Pitman's Phonetic Institute for the period from 26-11-1996 to 25-11-1998. No previous contract is produced. Annexure-VI is an application submitted to the Assistant Labour Commissioner (Central) claiming reinstatement and regularisation. It also contains the same contention as in the claim statement referred above. The learned counsel

for the worker relied on the certificates issued from the management institution to the worker which are Annexures II series (7 in number). All the certificates show that the worker was engaged as typist on contract basis. Whatever be the correctness of the contentions of the respective parties, whether the claimant was the contract labour or he was only Manager of the contractor Pitman's Phonetic Institute, there is no direct employment by the management. There is no evidence to show that the management had paid remuneration directly to the worker at any time. There is no evidences to show that the worker was supervised and controlled by the management. There is equally no evidence to show that the disciplinary jurisdiction over the worker was vested with the management. If the worker was a contract labour, there should be a pleading that the contract is sham before he can claim regularisation in the management institution. So also for the purpose of reinstatement the worker has to prove that he was working directly under the management, may be as casual or temporary or regular employee. Since there is no averment in the claim statement that the contract is sham and no effort is made to prove the nature of the contract no kind of right can be claimed against the management. Sufficient pleading and proof are required regarding the nature of the contract, relationship between the management and the worker, control and supervision of the worker, the mode of making payment, disciplinary jurisdiction etc. There is complete absence of any such evidence and also there is lack of pleading. The worker himself has laid axe to the very root of his claim by pleading that he was a contract labour and not pleading that the contract is sham. In the circumstances and in view of the certificates issued from the management, Annexure-II series, I hold that the worker was only a contract labour and not a direct employee of the management.

8. A contract labourer cannot claim any kind of right under the principal employer unless and until it is proved that the contract is a smoke-screen between the management and the worker. In the absence of any such evidence the contract work of the claimant came to an end when the period of contract ended. It follows therefore that the worker is neither entitled for reinstatement nor for regularisation.

In the result an award is passed finding that the demand of the claimant for reinstatement and regularisation in service of the management is unjustified and unsustainable and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 12th day of November, 2008.

P. L. NORBERT, Presiding Officer

Appendix - Nil.

नई दिल्ली, 9 जनवरी, 2009

का.आ. 246.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. II, चंडीगढ़ के पंचाट (संदर्भ सं. 622/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-40012/573/2000-आईआर (डी यू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 246.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.622/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No.II, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Department of Post and their workman, which was received by the Central Government on 9-01-2009.

[No. L-40012/573/2000-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case No. I.D. 622/2k5

Registered on : 24-08-2005

Date of Decision: 18-12-2008

Mahesh Chander C/o The General Secretary, All India Trade Union Congress, Solan-173211 (H.P.)

....Petitioner

Versus

The Superintendent of Post Offices, Solan Division, Saproon, District Solan (H.P.)-173211

....Respondent

For the workman : Sh. J.C. Bhardwaj, President, H.P.A.I.T.U.C. H.Q. Saproon, Solan, (H.P.) A.R.

For the management : Sh. H.C. Arora, Savita Arora and Sh. J.S. Rana, Advocate

AWARD

Following is the reference received from the Ministry of Labour, Government of India for adjudication *vide* their No. L-40012/573/2000/IR (DU) dated 26-3-2001.

"Whether the action of the Superintendent of Post Offices, Solan Division, Solan in terminating the services of Sh. Mahesh Chander S/o Sh. Chaturbhuj w.e.f. 22-2-99 is just and legal? If not, to what relief the workman is entitled?"

The notice of reference was given to the parties. The workman appeared in person and through representative, whereas the Management appeared through counsel. The workman submitted his claim statement to which the management filed the reply in writing. The workman filed replication and also tendered his affidavit in support of the pleadings. The Management tendered the affidavit of Sh. D.D. Sharma, Superintendent of Post Offices, Solan, in support of the case of the Management. The parties also placed on record photo copies of a number of documents a reference of which shall be made at the appropriate stage. The workman appeared in the witness box and proved his affidavit. He was cross-examined by the Management. The Management examined Sh. D.D. Sharma, as their witness who was cross-examined by the workman. Parties argued in the matter and have also submitted the authorities in support of their respective claims.

The claim of the workman is that he had joined the service of the Management in November 1987 as Chowkidar in the office of Superintendent of Post Offices, Solan Division, Saproon (Solan) and continuously worked for them till 20-2-1999, when he was arrested by the C.I.A. Staff and was booked under N.D.P.S. Act. That he was tried for the offence by the Special Judge and was honorably acquitted *vide* his judgement dated 19-8-1999. That the Management declared the workman absent from duty with effect from 22-2-1999 and *vide* their order dated 20-9-1999 dispensed with his services. That after his acquittal by the Special Judge, he requested the Management to allow him to rejoin his duties but they did not accept his request and terminated his services. That the termination of the workman from service without any inquiry, charge-sheet is illegal, null and void and against the principle of natural justice as he was not given a chance to explain his position. Even otherwise, since the workman had put in more than 240 days continuous service in each year of his employment, he was entitled for a notice in terms of Section 25-F and thus his retrenchment from service was a violation under the provisions of Industrial Dispute Act, 1947 hereinafter referred to as "Act". The Management further violated the provisions of the Act by retaining his juniors and terminating his services. They further did not follow the provisions of Section 25-N of the Act as they were required to give three months notice to the workman before the termination of his services. In support of his claim he has placed on record the copy of the FIR, copy of the judgement of the Special Judge dated 19-8-1999 and copy of the order terminating the services of the workman marked "A" copies of application of the workman dated 23-8-1999, 29-8-1999 and 16-9-1999.

The Management has opposed the claim of the workman by raising preliminary objections and contesting the claim of the workman on merits. Their plea is that there is contradiction about the date of termination of services of the workman as such the reference is not maintainable. That the workman was a part time Chowkidar paid out of contingency, therefore, was not subject to CCS (CCA) Rules and thus was not under an obligation to come to duties regularly. In view of that the Management could not take any disciplinary action against him for his failing to attend his duties and therefore, there was no question of holding an inquiry against him or giving him notice before his disengagement. In fact, the workman himself had abandoned the job at his will and it was not a case of termination of his services. The letter Annexure P-3 could not be taken as letter of termination of his services as the workman had at his own abandoned the services with effect from 20-2-1999. Disputing that the workman was honorably acquitted by Special Judge, it is stated by the Management that the workman had abandoned the job himself on 20-2-1999, therefore, he could not claim to rejoin his duties after his acquittal by the criminal court. Claiming that the Hon 'ble Supreme Court has declared the Department of Posts not an industry it is submitted by them that in view of that the reference is not maintainable against the Management. Moreover, there is a ban on engagement of part time employees besides there is no post of night Chowkidar available; therefore, the workman is not entitled to any relief.

On merits it is submitted by the Management that the workman was engaged in December 1987 as contingency paid part time Chowkidar to guard the Divisional Office Building, Solan and he was arrested under Section 20 of NDPS Act 1985 for having been found in possession of 320 grams of Churus. The State has gone in appeal against the order of acquittal of workman, which is pending disposal. Claiming that letter dated 30-9-1999 was not a letter of termination of services of the workman rather a formal confirmation of the abandonment of the job of the workman with effect from 20-2-1999. They reiterated the fact that since the workman was a part time contingency paid Chowkidar not subject to Civil Services Rules, therefore, there was no question of holding of inquiry against him and issuing the order of termination of his services. Disputing that the workman has a right to rejoin his duties after his acquittal, it is stated by them that since the appeal against the order of the acquittal of the workman is pending, the Management has a right to wait for the decision of the appropriate court before allowing the workman to rejoin his duties. Claiming that the workman falls in different class than those workmen who were not involved in any case, it was stated by them that the Management did not violate the provisions of Section 25G of the Act. They have also disputed that the Management was required to follow the provisions of Section 25-N of the Act. They have much relied upon the preliminary objections raised

and submitted that the contentions raised by the workman are misconceived and required to be rejected.

The perusal of the file shows that there is no dispute about the factual position in the case as demonstrated by the workman and the Management. It can be said that the parties admitted that the workman was engaged as Chowkidar in the office of Superintendent of Post Offices, Solan, Sapron (Solan) in the year 1987 and he served them up to 20-2-1999. He was arrested in a criminal matter by the C.I. A. Staff and a FIR was registered against him. He was tried by Special Judge, Solan, for the charge of having been found in possession of narcotic drugs under N.D.P.S. Act, and was acquitted on 19-8-1999. On record there is a letter annexure P-3 marked as 'A', the contents of which are not denied by both the parties. The workman claims this letter to be a letter of termination of the services of the workman, whereas, the management claims to be a confirmation of abandonment of services by the workman. It is strange to note that the Management has declared by this letter that the workman has abandoned his job w.e.f. 22-2-1999 and this they have done on 23-9-1999 when the workman had already brought to their notice that he was arrested by the investigating agency and was tried for a criminal offence from which he was acquitted by the Special Judge on 19-8-1999. In their reply the Management admitted that the workman was tried and then acquitted but stated that the appeal against the order of acquittal is still pending, therefore, the Management was not obliged to allow the workman to rejoin his duties. I do not find any merit in their submission as after the filing of the appeal there was no stay order granted against the workman from rejoining his duties. There were also no directions to the Management not to allow the workman to rejoin his duties. The evidence on record rather is that they declared the workman having abandoned the job on 30-9-1999 i.e. after his acquittal by a Special Judge and his repeated representations dated 23-8-1999, 29-8-1999 and 16-9-1999. There is a clear contradiction in their submission. There is evidence to show that the Management knew that the workman was taken into custody on 20-2-1999 and he was tried by the criminal agency and was acquitted only on 19-8-1999, then how could they say that the workman had abandoned the job on 20-2-1999 or for that matter on 22-9-1999 as they have not produced any evidence to show that the workman was a free man and he voluntarily did not report for duties. How could he report for duties when in custody of criminal agency? The plea of the Management that the workman had abandoned the job or for that matter on 22-9-1999 is baseless and is rejected.

Now the question comes whether the Management followed the provisions of the Act before declaring him having abandoned the job. There is no evidence on record that the Management held an enquiry to come to the conclusions that the workman had abandoned the job. Though not directly but impliedly they admitted that the workman

was not given any notice or charge-sheet nor an enquiry was held before declaring him having abandoned the job when they stated that there was no necessity to do that as the workman was a part time contingency paid Chowkidar. It is also not understandable how there could be a part time Chowkidar when there is no evidence produced that for the other part time the Management had engaged another Chowkidar and when the workman has claimed that he was working as Chowkidar for 12 hours every day. The workman is successful in showing that he was in the service of the Management for 12 years when he was arrested by the concerned agency for being in possession of narcotic drugs. Admittedly, he had put in more than 240 days of service in 12 months preceding the date of declaring him having abandoned the job and according to workman his services were terminated by the Management. They have admitted that no enquiry was conducted before the disengagement of the workman. There is also no evidence to show that before the disengagement of the workman the Management had given him notice or paid him wages for the notice period or they followed the provisions of 25-F of the Act. The disengagement of the workman w.e.f. from 22-9-1999 was, therefore, bad in law.

There is no merit in the claim of the Management that they are not an industry in the face of the judgment of the Hon'ble Supreme Court in the case of General Manager, Telecom versus S. Srinivasa Rao reported as 1999 LLR-P-8. Their Lordships held that Telecommunication Department is an industry as defined by Section 2 (J) of the Act, since it is engaged in commercial activities and not engagement in sovereign function. They relied upon the judgment of several Judges bench of the Supreme Court in the case of Bangalore Water Supply and Sewerage Board versus A. Rajappa and others reported as (1978-2 SSC-213).

After consideration of all the evidences available on record I am of the opinion that the order of the Management declaring the workman having abandoned his job w.e.f. 22-2-1999 was unjust and illegal. The order of declaring the workman having abandoned the job from that date was bad in law rather the same was an order of termination of services of the workman without following the provisions of the Act and principles of natural justice as is held by the Hon'ble Division Bench of Himachal Pradesh, High Court in the case of Kuldeep Singh versus State of Himachal Pradesh reported as 1988-LAB-IC-NOC-22 (HP). Therefore, the disengagement of the workman is declared illegal, void and arbitrary and the same is quashed. The workman is treated to be in service as if he was not given the order of disengagement by the Management.

The next questions which falls for consideration is as to what relief the workman is entitled to. It is an admitted case of the parties that the workman had not served the Management from 22-2-1999 to 19-8-1999, the day on which he was acquitted of the charges framed against him. He could not be taken in job being involved in criminal case

but during that period he was definitely entitled for subsistence allowance being an employee of the Management in whatever capacity. The principle of natural justice demanded that he should have been provided with the means to subsist and face the criminal charge. He reported for duty within four days and the time spent must be for obtaining the copies of the judgment and the time so consumed by him was reasonable. Since that day, the Management was wrong in not allowing him to rejoin his duties as they have failed to produce any evidence to show that they were justified in not allowing the workman to rejoin his duties. There is also no weight in their submission that there is no post of Chowkidar available with the Management or that there is ban on the recruitment of part time employees. We have to consider as to where the workman stood on 23-8-1999, after he was acquitted by the criminal court. It is for the Management to see how to manage or create a post for him or how to disengage him under rules. For the purposes of this reference I am of the opinion that the workman is entitled to full back wages since he had not worked for the Management during this period and must have engaged himself in some vocation so as to survive and possibly maintain those dependent upon him. I, therefore, hold that the workman is entitled to 50 per cent of the wages, to what he would have got but for his arrest and then termination of his services by the Management. The Management is directed to reinstate the workman on the post he was holding on 20-2-1999, when he was arrested and pay him the back wages within three months from the date of this award, failing which the workman shall be entitled to interest @ 9 per cent per annum on the amount so found due to him as back wages. The reference is answered in these terms and the Award is passed. Let a copy of this award be sent to the appropriate Government for necessary action and the file be consigned to record after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 247.—औद्योगिक विवाद अधिनियम, 1947

(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री फार्म के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय नं. II, चंडीगढ़ के पंचाट (संदर्भ सं. 754/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-14012/21/98-आईआर (डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 247.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.754/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No.II Chandigarh as shown in the Annexure, in the

Industrial Dispute between the employers in relation to the management of Military Farm and their workman, which was received by the Central Government on 9-1-2009.

[No. L-14012/21/98-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, CHANDIGARH**

Presiding Officer : SHRI KULDIP SINGH

Case I.D. No: 754/2k5

Registered on : 2-9-2005

Date of Decision : 18-12-2008

Shiv Kumar S/o Sh. Nagdoo Ram, C/o C.I.T.U. Office, Gandhi Chowk, Pathankot-145001

.....Petitioner

Versus

The Office Incharge, Military Farm, Pathankot-145001

....Respondent

For the Workman

Sh. Vivek Salathia and
Anandeshwar Gautam,
Advocates,

For the Management

Sh. Ann Walia, Advocate.

AWARD

The workman continues to be absent. The Management appears through counsel.

The perusal of the file shows that the workman last attended this Tribunal on 14-3-2008 and thereafter he has not appeared. Noticing his absence both after March 2008 and even on the dates before that, it was directed to issue notice to the workman under Registered cover and the same was issued under postal receipt No.1744 dated 25-11-2008. The Registered cover carrying the notice was received back with the report of the postal authorities that the addressee i.e. the workman has left without address. On record there was another address of the workman available on which too the workman was summoned earlier, but he did not appear and ultimately he caused his appearance on 27-11-2006 through his counsel who also did not appear thereafter. The Tribunal has no option but to proceed against the workman in the circumstances.

The Ministry of Labour, Government of India vide their No. L-14012/21/98-IR (DU) dated 30-10/13-11/1998 desired this Tribunal to adjudicate upon "Whether the action of Officer Incharge, Military Farm, Pathankot in terminating the services of Shri Shiv Kumar S/o Shri Nigdoo Ram, a daily rated worker, is legal and justified? If not, to

what relief the workman is entitled?" On the notice issued, the workman appeared and filed his claim petition, to which the Management filed the written statement duly supported by Annexure R-1 to R-6. They also supported their claim with the affidavit of Shri. O.P. Yadav, their witness, whereas the workman filed his affidavit but did not come forward to support his claim in the Tribunal. The Management also filed the affidavit of their another witness Ram Singh. The case was being listed for the evidence of the workman and as stated earlier, he has not appeared as a witness nor has produced any evidence in support of his claim. He has also not responded to the notice issued. Therefore, his claim has remained unsupported by any evidence.

The Management has in their written statement denied the claim of the workman and have stated that the workman is not entitled to any relief, therefore, the reference may be decided against him.

On record I do not find any evidence to show that the Management had engaged and then disengaged the workman from their services on 1-12-1997, for his Trade Union activities whereas they retained his juniors and also recruited fresh hands or that he was also denied the leave during the course of his service and therefore, the Management violated the provisions of the Industrial Disputes Act. Since there is no evidence to support the claim of the workman and the Management has denied his claim in toto, the reference is answered against the workman holding that the workman is not entitled to any relief. The award is passed in these terms. Let a copy of it be sent to the appropriate Government for necessary action and the file be consigned to records after due compilation.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 9 जनवरी, 2009

का.आ. 248.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जवाहर नवोदय विद्यालय के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय, पुणे के पंचाट (संदर्भ सं. 318/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था ।

[सं. एल-42012/170/2004-आईआर (सी एम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 248.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.318/2005) of the Labour Court, Pune (Maharashtra) as shown in the Annexure, in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya, and their workman, which was received by the Central Government on 9-1-2009.

[No. L-42012/170/2004-IR (CM-II)]
AJAY KUMAR GAUR, Desk Officer

ANNEXURE
IN THE FIRST LABOUR COURT, PUNE

Ref. No. 318 of 2005

Between

The Principal,
 Jawahar Navodaya Vidyalaya
 At. Khawali, Kshetra Mahuli,
 Distt. Satara.

.....First Party

And

Sou. Laxmi Tanaji Shelar
 At: Khawali, P.O. : Kshetra Mahuli,
 Distt. Satara.

.....Second Party

Coram : Shri N.B. Yenurkar, Presiding Officer.

Appearances : Mrs. Londhe-Deshpande A.G.P for I Party
 Mr. Magar Advocate for II Party

PART I AWARD ON P.P. (27-8-2008)

This reference is referred to this court by the Central Government/Bharat Sarkar, Ministry of Labour/Shram Mantralaya, New Delhi vide order No. L-42012/170/2004 IR(CM-II) dt. 29-6-2005 for adjudication u/s 10(1)(d) and (2A) of I.D. Act 1947, as mentioned in the schedule as under :—

SCHEDULE

“Whether the action of the management of Jawahar Navodaya Vidyalaya Kshetra Mahuli, Distt. Satara, in terminating the services of Smt. Laxmi Shelar w.e.f. 8-3-2004 is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

2. Second Party appeared and filed her statement of claim at Ex. 3. It is the case of second party that she was working with the first party as a Helper on permanent nature of vacant post since 1-1-2001. She was required to do the work of cleaning table, chairs, hall, basin. She was also required to roll chapati and cook the food. She was required to do all the work told by the cook. Alongwith her other six ladies were working in the same cadre with the first party. That however, without any notice here services have been terminated by the first party by oral orders on 8-3-2004. Against her post the first party made appointment of another employee.

3. She has submitted that prior to it also she was terminated from service by first party and thus she had filed the complaint before the Labour Commissioner, Satara on 9-1-2003 and thereupon she was taken back in the employment. That however, She was again terminated by oral orders on 8-3-2004. She had issued the notice dt. 7-4-2004 requesting the first party to reinstate her but to no effect. She has contended that action of termination of her services by the first party is illegal. She has thus urged

to grant the relief of her reinstatement in continuity of service w.e.f. 8-3-2004 with back full wages.

4. The first party appeared and filed its written statement at Ex. II and resisted the claim in reference. First Party has denied that she has worked continuously for more than 240 days in a year as alleged. First party has submitted that the second party was working on daily wages basis as and when required for a temporary period. Thereby the first party Vidyalaya has a mess and has got permanent employees appointed as per the recruitment rules such as catering assistant, cook and 2 mess helpers. Apart from these regular employees to help the above staff the second party was working on daily wages basis as and when required for a temporary period. It is submitted by the first party that it is an autonomous organisation of Government of India having the students strength of 440 to 450. There is Co-education in the school in the year 2000. The second party was involved in indecent and unwarranted behaviour with the staff of first party. Taking into account the co-education and minor age group of the students residing there to safeguard the interest of students she was not allowed to work in the premises of first party. However, after reconciliation proceeding before the Labour Commissioner, Satara. The said authority had asked it to give her a chance to work in mess and if she does not change her behaviour then the principal can take an appropriate action against her. Accordingly it had given the second party a chance to work in the mess of Vidyalaya on daily wages and on temporary basis as and when required. However, she did not change her behaviour. The complaint about her illicit activities was received by the catering assistant on 8-3-2004. The matter was thus enquired by the senior most teacher and the mess incharge, who was looking after the complete management of the mess and kitchen of first party. On enquiry, it was found that the allegations about the illicit acts were true. The first party Vidyalaya is a residential school having 149 girls students of Class-VI to XII residing in campus. Considering their safety and Security as a precautionary measure the work of second party was brought to an end and the counter part employee was transferred to the Jawahar Navodaya Vidyalaya, Akola. It is also submitted that since inception her appointment was not as per the recruitment rules, her name was not sponsored by Employment Exchange, District Collector, Satara or Social Welfare department. She never worked continuously for 240 days in any year and thus she is not entitled for any relief.

5. It has submitted that first party Vidyalaya is working under the Navodaya Vidyalaya Samittee, New Delhi which is an autonomous organisation of Ministry of Human Resources and Development. It is registered under Societies Registration Act, 1860. In accordance with the National Policy of Education the Government of India has started Jawahar Navodaya Vidyalaya throughout country with an objective to provide good quality modern education including a strong component of culture inculcation of values of environment, adventure activities and physical education to the talented children

predominantly from rural areas. Its audit is done by Union of India only. The education is an activity of the government, which is related to sovereign functions of the Government, which is enlisted in 7th schedule, list III item No. 25 as per the constitutional provisions and thus it is excluded from the definition of Industry. The first party has thus submitted that this Court has no jurisdiction to try and entertain the present dispute.

6. First party has also submitted that all the service matters in respect of the first party are dealt in the Hon. Central Administrative Tribunal as per Government of India Gazette 492 dt. 17-12-1998 issued u/s 14(3) of the Administrative Tribunals Act, 1985. As Such, the jurisdiction of this court is expressly barred by Section 29 of the Administrative Tribunals Act and thus this Court has no jurisdiction to try and entertain the present reference.

7. The First party has also submitted that according to the second party herself she claimed to have worked with the first party Vidhyalaya situated at Khawali, Post Kshetra Mahuli, Distt. Satara. She has also pleaded that she has approached the Labour Commissioner (Central) at Satara vide representation dt. 9-1-2003. It has submitted that the first party Vidhyalaya is situated in District Satara. She claimed to have worked with the first party Vidyalaya, Distt. Satara. She also resided at Satara. Thus, both the parties in the present reference are residing in District Satara and not within the jurisdiction of this Court. She has also claimed her alleged termination from her work at the hands of first party which is established in District Satara. As such, this court has no jurisdiction to entertain and try the present reference and it is liable to be dismissed. For all these reasons, the first party has urged to reject the reference. It has also urged to try the issue of jurisdiction as preliminary issue.

8. On these pleadings the issues were framed at Exh. 24. Amongst above issues, the following issue No. 3 about the territorial jurisdiction was ordered to be tried as preliminary issue. Accordingly, this issue No. 3 has been tried as preliminary issue. I record my findings on it and the reasons therefore are recorded as under—

Issue (Preliminary)	Findings
3. Whether this Court has territorial jurisdiction to try and decide the said dispute?	Negative

REASONS

9. ISSUE NO. 3 (Preliminary Issue) : The Second Party inspite of ample opportunity failed to adduce her evidence on this issue. Thereupon the first party vide its pursvis at Ex. 26 also submitted that it does not what to lead any oral evidence on preliminary issue. Hence this issue is required to be decided on considering the pleadings of both parties and the material placed on record. It is the admitted fact that the second party Sou. Laxmi Shelar was working with first party Jawahar Navodaya Vidyalaya situated at Khwali, P.O. Mahuli, Distt. Satara

and she is residing at the same place at Khawali Distt. Satara. It is also her case that while working in the first party at Khawali (Distt. Satara) she has been orally terminated from service. She has also pleaded that previously she has made a complaint before the Labour Commissioner. Satara about termination of her services. Thereupon she was reinstated in service, but again she was terminated from services from 8-3-2004 in respect of which present dispute is referred to this court. It is thus the admitted fact that the cause of action for the dispute in present reference arose within the jurisdiction of Labour Court, at Satara. It is also admitted that both the parties are residing at Khawali, Dist. Satara within the territorial jurisdiction of the Labour Court at Satara. As such, neither the parties to the dispute reside within the jurisdiction of this court: nor cause of action i.e. subject-matter of dispute substantially arose within the jurisdiction of this court.

10. Ld. A.G.P. for the first party has relied upon the authority of the Apex Court in case of Workmen of Shri Ranga Vilas Motors (P) Ltd. Vs. Shri Ranga Vilas Motors (P) Ltd. and others AIR-1967-SC-1040 and the authority of our High Court in case of Lalbhai Tricumlal Mills Ltd. Vs. Dhanubhai Motilal vin and Ors. AIR-1055-Bombay-463 on the point of Jurisdiction of the court to entertain and decide the dispute by Labour Court. The principle deducted from these authorities is that "a Court or Tribunal would have jurisdiction if the parties reside within jurisdiction or if the subject-matter of the dispute substantially arises within jurisdiction. If there is a separate establishment of the Industry and the workmen is working in that establishment, the dispute would arise at that place". From the pleadings of the first party and from the true copy of Gazette published by Govt. of India filed on record by the first party vide list Ex. 15/1 it is evident and also undisputed fact that the Novodaya Vidyalaya Samittee is registered society registered under the Societies Registration Act, 1867 at New Delhi which is the industry of which the present first party is its separate establishment at Khawali Distt. Satara where the second party was working at the time of termination of her services. In view of all these facts, I hold that this court has no territorial jurisdiction to entertain and decide the present dispute which is referred to this court and thus it is required to be rejected for want of territorial jurisdiction. Hence I answer this issue No. 3 in the negative.

11. In view of my aforesaid findings to Issue No. 3 I proceed to pass following order :

ORDER

1. Reference stands rejected for want of territorial jurisdiction.

2. Parties to bear their own costs.

N.B. YENURKAR, Judge

Pune

dt. 27-8-2008

नई दिल्ली, 9 जनवरी, 2009

का.आ. 249.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत इलेक्ट्रोनिक्स लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. II, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/13 ऑफ 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2009 को प्राप्त हुआ था।

[सं. एल-14011/4/2000-आई आर (डीयू)]
अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 249.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/13 of 2001) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Mumbai as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Electronics Limited and their workman, which was received by the Central Government on 9-1-2009.

[No. L-14011/4/2000-IR (DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, MUMBAI

PRESENT : A.A. Lad, Presiding Officer

Reference No. CGIT-2/13 of 2001

Employers in relation to the management of Bharat Electronics Limited

The General Manager,
Bharat Electronics Limited,
L-1, M.I.D.C. Area, Taloja. ... First Party

Versus

Their Workmen

J.B. Pagar and 169 Ors.
C/o. Bharat Electronics Ltd.,
Plot No. L-1, MIDC Industrial Area,
Taloja, Raigad-410208. ... Second Party

APPEARANCE :

For the Employer : S/Shri George Kurian, K.S. Benson,
Ms. Geeta Raut & Ms. Theresa
Benson, Advocates

For the Workmen : Mr. B. G. Kulkarni, Advocate.

Date of reserving the Award : 4-6-2008

Date of passing the Award : 4-12-2008.

AWARD PART II

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-14011/4/2000/IR(DU), dated 30-6-2000 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of M/s. Bharat Electronics Ltd., Taloja in maintaining disparity and discrimination in granting wage group of Sh. J. B. Pagar and 169 others is legal and justified? If not, to what relief the workmen concerned are entitled?”

2. To substantiate the subject-matter of the reference Second party Workmen by Statement of Claim at Exhibit 10 submit that, First party is a Company established under the Company Law and having factory at L-1, M.I.D.C. Area, Taloja, District Raigad. The 1st Party is mainly engaged in manufacturing Defence equipments and fall under the Ministry of Defence. Workmen working there are the permanent employees whose names are given in Annexure A. However, they were put in the wage groups as shown in Annexure B. According to Workmen they noted that their wages are not fixed in wage group in considering with the wage group of employees of similar cadre. They felt that, they are not getting benefits as other employees are getting who are working in the same field and doing same type of work. All are qualified non-SSC plus I.T.I. certificate holders and employed in Wage Group III. However, some who are of same qualifications have been directly given Wage Group IV. The employees employed prior to the appointment of these employees having qualifications of S.S.C. plus I.T.I. certificate are duped with lower wage group i.e. Wage Group III. According to them while placing in the wage groups discrimination was made by 1st Party with intention to deprive the benefits of wages as given to the employees for doing similar type of work. Shri A.H. Patil and Shri S.N. Kamble who possess S.S.C. plus I.T.I. certificate are placed in Group IV directly. Whereas Girish Sathe of same qualifications is placed in Wage Group II. Shri Kale, Shri Ponkshe, Shri Gawande, Shri Anasane and others are of same qualifications are placed in Wage Group VII whereas others are lowered down to Wage Group VIII. Whereas S/S Phadke, Joshi and Bhoir who were appointed, were placed in Wage Group II and after that who were appointed, were placed in Wage Group I. They raised the dispute before Assistant Labour Commissioner, Labour Ministry, Central Government, Sion, Mumbai, who recommended the same to the Central Government, which was differed here for adjudication. So they prayed that, the disparity in giving the wages of the employees involved in the reference be removed in case of J.B. Pagare and other 169 involved in the reference.

3. This prayer is disputed by the 1st Party by filing written statement at Exhibit 11 stating that, reference is not

maintainable in the present form as disparity and discrimination allegedly claimed by the Workmen involved in the Reference cannot be called as Industrial Dispute. In fact all employees are not aggrieved by the so called disparity pointed out by the Workmen involved in the reference. Since there is no community of interest which is mandatory requirement for such an industrial dispute, it is submitted that, the reference should be thrashed out. It is stated that, J.B. Pagar and other 169 cannot represent the entire workmen working with the 1st Party. There is Union by name "Kamgar Congress", which is having 451 workers working with the 1st Party. Initially they were represented by another Union viz. "Bharat Electronics Employees Association". Since the "Kamgar Congress" did not espouse the role case of Pagar and other 169 employees, having joined together. However, they were unable to capture the entire workers working with the 1st Party. Besides, no specific case is made out by them. They cannot claim any relief as prayed. Said wages were given as per settlement took place with the recognized Union. The alleged disparity claimed by the Workmen involved in the Reference was considered by the State Industrial Tribunal at Thane in Reference (IT) No. 21 of 1992 and accordingly settlement took place between the recognized Union and 1st Party, said Reference was withdrawn. The subject-matter, involved in the reference, was adjudicated by Thane Industrial Tribunal in the above referred Reference. Since relief was given to them which they got by virtue of settlement which took place in the light of the award of Thane Industrial Court, now cannot claim. It is submitted that, the reference in the present form is not maintainable as it hits by the principles of res judicata. Since Reference is not maintainable as well as hit by the principles of res judicata and since they have got relief, it is submitted that, the reference deserves to be rejected.

4. Considering the dispute raised and stand taken by both, and going through the affidavit at Exhibit 20 1st Party request to decide Issue Nos. 1 to 6 as preliminary Issues. However, while deciding Exhibit 20 my Predecessor observed that, only Issue Nos. 1 and 3 as preliminary Issue can be decided and kept the remaining issues open to decide later. As a result of said order passed on Exhibit 20, I decided Issue Nos. 1 and 3, observing Reference constitute an Industrial dispute as defined under Section 2(k) of the Industrial Disputes Act, 1947 and that, the Reference is maintainable, by passing Award Part I on 26th May, 2006.

5. As a result of said order passed on Exhibit 20 I decided Issue Nos. 1 and 3, observing Reference constitute an industrial dispute as defined under Section 3(k) of the Industrial Disputes Act, 1947, and that, the Reference is maintainable, by passing Award Part I on 26th May, 2006.

6. The remaining Issues framed at Exhibit 17 are answered as follows :

ISSUES	FINDINGS
2. Whether the Reference suffers from laches ?	No
4. Whether the reference is hit by Principles of Res judicata as averred in para 3 of the Written Statement?	No
5. Whether the reference is hit by Principles of Estoppel?	No
6. Whether it is proved that the management made discrimination and disparity in granting wage group?	No
7. Whether the action of the Management of M/s. Bharat Electronics Ltd., Taloja in maintaining Disparity and discrimination in granting wage groups to Sh. J.B. Pagar and 169 Ors. is legal and proper?	Yes
8. What relief Shri J.B. Pagar and 169 Ors. are entitle to?	As per Order below.

Reasons :

Issue Nos. 2, 4 and 5 :

6. Management has disputed the Reference taking stand that the said Reference suffers from latches. Inspite of that, it is contended that, the said Reference is hit by the principles of res judicata and principles of estoppel.

7. It is to be noted that, Reference is sent by the Government of India, Ministry of Labour, New Delhi, on the failure report of the Labour Commissioner (Central). There is a reference that, the same was adjudicated by the Thane Industrial Court and so stand is taken by the 1st Party that, the Reference suffers from latches and is hit by the principles of res judicata and principles of estoppel. if at all decision of referring the Reference to this Tribunal was objectionable to the 1st Party then, it ought to have approached the Hon'ble high Court against the decision of the Government of India, Ministry of Labour, New Delhi. According to me decision taken by Government of India, Ministry of Labour, New Delhi, in sending Reference here for adjudication to this Tribunal cannot be considered by this Tribunal. This Tribunal has to see whether in the subject-matter of the Reference of the employee involved in the Reference, can get benefit of the subject-matter referred in the reference. This Tribunal has to answer "Yes" or "No". According to me this Tribunal cannot go into the validity of sending of Reference and the reason on which Reference is sent here for adjudication and whether it is hit by the principles of estoppel, res judicata or suffers from number of latches as mentioned by the Management and in fact this Court is not supposed to say anything on this contention. This Court has to see whether the subject-matter of the demand is proved by the employee involved

in the Reference. So according to me Reference neither suffers from latches nor from principles of res-judicata and estoppel. So I answer these Issues to that effect.

ISSUE NO. 6 to 8 :

(8) It is the case of the Union that, Management has made discrimination and disparity in granting Wage Group to the Workman involved in the Reference and to the employees placed in the same cadre and category and has done discrimination while giving Wage Group. To support that, Union placed reliance on the depositions of Pagare who has filed affidavit in lieu of the examination-in-chief at Exhibit 26 who states that, he is depositing on behalf of 169 employees who are interested and involved in the issue referred in the dispute. He further states that, discrimination is made by the 1st Party while granting Wage Group. In the cross he states that he joined 1st Party in 1988. He states that, Wage Group III was given to him. He states that, his wages are paid as per Wage Group III. He states that, he has not complained about giving him Wage Group III to him and wages paid to him as per Wage Group III. He further states that, other workers are also given wages as per Wage Group III. He admits that, his Union has given letter 22-5-1989 for placing all of them in Wage Group IV instead of Wage Group III. He admits that, Union had raised this issue before the Industrial Tribunal, Thane which was numbered as (IT) 21 of 1992 and said was settled on 15th March, 1993. He admits that, as per that settlement Wage Group IV was given to the concerned Workmen w.e.f. 1-1-1989. He further states that, on that basis 2 promotions were given to them. He states that, the said was not acceptable to the Workmen so they complained. He further states that, he has no evidence on that point. He states that, at that time "Kamgar Congress" was the Union. He states that, they approached "Kamgar Congress" Union but they did not accept and Union did not agree to espouse so they individually approached the ALC. On that, said Pagare closed his evidence and filed closing purshis at Exhibit 28.

(9) Again this Pagare was examined who filed affidavit, in lieu of the examination-chief, at Exhibit 42, on the remaining Issues which were taken now for consideration where he states that, disparity and discrimination was made by 1st Party in granting Wage Groups. He states that, Wage Group were settled out of the Court by and between the Employer and the Union in the year 1993. He states that, subject matter involved in the reference was not the matter before that Court or any other Court. In the cross-examination he states that like him Kanage and Gaikwad were appointed in Wage Group III. He admits that, at any point of time, no objection was raised by any of the employee. He admits that, at that time R.P. Patil was the President of the Bharat Electronics Employees Union. He is unable to state whether that time, Union demanded to convert the Wage Group from III to IV and from Wage Group IV to V and from Wage Group VII to

Wage Group VIII. He states that, he did not know whether Court has passed Award accordingly. He admits that, as per that, Wage Group IV was made applicable with effect from 1-1-1989 but he did not accept it. He further states that, however he accepted the said monetary benefits which were taken under protest. He admits that, said under protest in not produced in the Court and he undertook that, he will produce it. He admits that, he was benefited by the said settlement. He states that, demand was placed before R.L.C. to give Wage Group from III to IV. He admits that, to present his Wage Group is VI. He admits that 18 names mentioned in the affidavit are not in the reference list but are given just to compare their scale since they get it prior to them and in the large scale. Then he closed his evidence and filed closing purshis at Exhibit 44.

(10) Then Management examined Mr. Rao at Exhibit 45 by filing affidavit in lieu of the examination-in-chief who tries to explain how these Workmen, involved in the Reference, are not entitled for Wage Group since they are already getting benefit of it.

(11) In the cross he tries to describe what is discrimination and states that, some are getting more scale because they have passed X Std. Whereas Workmen involved in the Reference are not of that qualifications. He states that, Mr. Khanvarkar, Palande and Jadhav may be having better experience than the employees involved in the reference and so they are getting higher wages than the employees involved in the Reference. He denies that, discrimination is made by the 1st Party in granting Wage Group. He states that, grade is given on the basis of the seniority in the employment. He states that, Sawant and Mr. Shirgaonkar who are mentioned at Exhibit 17 are possessing higher skill so they are given Wage Group IV. He states that, Ridhurkar was having higher experience than S.W. Patil so he is getting more scale. On that 1st Party closed the evidence and filed closing purshis at Exhibit 48.

(12) 2nd Party submitted written arguments at Exhibit 49 which was replied by 1st Party by filing its written argument at Exhibit 50 and at Exhibit 51 citations published in 1993 1LLJ page 243 (SC) while deciding the case of Himachal Pradesh RTC V/s. Balwant Singh, 2001 1 CLR page 34 (SC) decision given while deciding the case of Y. Rama Mohan Vs. Government of India and citation published in 1993 1 CLR page 1072 (SC) while deciding the case of Ratanchandra Samanta vs UOI.

(13) Here point is of discrimination. 2nd Party claims that, employees involved in the Reference are not getting benefit of Wage Group which is given to the employees of similar type and working in the same department. However, Pagare, who is examined at Exhibit 42 for second time in this reference admits that, he was appointed in Wage Group III. He admits that, like him, Kanage and Gaikwad were also appointed in Wage Group III. He states that, that time they had not taken objection to their appointment in that wage

नई दिल्ली, 9 जनवरी, 2009

का.आ. 251.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कोलकाता पोर्ट ट्रस्ट के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या 12/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-1-2009 को प्राप्त हुआ था।

[सं. एल-32012/5/1993-आईआर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 9th January, 2009

S.O. 251.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award. (Ref. No. 12/1994) of the Central Government Industrial Tribunal/Labour Court, Kolkata now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Kolkata Port Trust and their workmen, which was received by the Central Government on 7-1-2009.

[No. L-32012/5/1993-IR (M)]

KAMAL BAKHNU, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 12 of 1994

Parties : Employers in relation to the management of
Kolkata Port Trust

AND

Their workmen.

Present : Mr. Justice C.P. Mishra, Presiding Officer

APPEARANCE:

On behalf of the : Mr. M. K. Das,
Management Industrial Relations Officer
On behalf of the : A. Bhadury,
Workmen Trade Union Representative

State : West Bengal Industry : Port & Dock
Dated : 23rd December, 2008

AWARD

By Order No. L-32012/5/93-IR(Misc.) dated 1-3-1994 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Kolkata Port Trust in terminating the services of Shri Ashoke Hela, ex-sweeper, office of the Deputy Chief Engineer,

River Training Wing, Kolkata Port Trust w.e.f. 1-4-92 was justified or not? If not, what relief the workman is entitled to?”

2. This reference was earlier disposed of by an Award dated 20-12-1997 passed by the then Presiding Officer of this Tribunal. However, by order dated 12-8-2002 in W.P. No. 28282(W) of 1997 and order dated 7-2-2005 in M.A.T. 3635 of 2004 the Hon'ble High Court at Calcutta set aside and quashed the said Award and remanded the matter back to this Tribunal for making a fresh Award.

3. This reference has been made at the instance of Haldia - Calcutta Port & Dock Shramik Union, hereinafter to be referred as the union. The case of the union as it appears in its statement of claim in short is that Shri Ashoke Hela is a workman within the meaning of Section 2(s) of the Industrial Disputes Act, 1947, hereinafter to be referred as the Act and he was initially engaged being sponsored by the Regional Employment Exchange on 6-5-1983. His services were utilized on board the vessel 'Tribeni' by the competent authority of the Kolkata Port Trust which is a statutory body under the Major Ports Act, 1963. His initial appointment continued from 6-5-1983 to 26-5-1983 and from 8-7-1983 to 14-7-1983. He was re-engaged on 9-4-1990 in broken spells which continued in phases intermittently and from 25-8-1990 for two months, on 29-10-1990 and from 3-1-1990 for three months. Further, he was engaged on 11-4-1991 for three months, on 22-7-1991 for three months, on 2-11-1991 for three months and on 11-2-1992 for three months in the scale of pay of Rs.1040—Rs.1425 plus admissible allowances on temporary basis. His services, however, were terminated from 1-4-1992 by the management by letter No. RT/EST/G/11-06 dated 31-3-1992 which according to the union is malafide, arbitrary, illegal and in gross violation of the principle of natural justice, fair-play and deliberate violation of the provisions contained in Section 25F of the Act. Such termination of service of the workman is also stated to be in total breach of contractual obligation under the law of contract. The union pointed out two letters dated 1-11-1991 and 4-11-1991 of the management and stated that in those two letters the competent authority of the Kolkata Port Trust recommended the case of the concerned workman for regularization. It is, therefore, prayed that the order of the management terminating the service of the concerned workman be quashed and set aside and the workman be reinstated in service with back wages.

5. The management of Kolkata Port Trust, hereinafter to be referred as the management has filed a written statement denying and disputing the claims and contentions of the union. The case of the management in brief is that Civil Engineering Department is one of its departments under which River Training Wing Section functions and this Section is responsible for maintaining navigability channel of the River Hooghly. In the eighties the work of Comprehensive Project for improvement of

draft in the River Hooghly being undertaken by the management had been going on and for this certain temporary posts were required to be created and filled to cope with the contingency. Thus, a temporary vacancy of Sweeper was decided to be filled and accordingly Shri Ashoke Hela the concerned workman was selected after an interview of the six candidates as sponsored by the Sub-Regional Employment Exchange for this purpose. He was engaged as a Sweeper for the said Project initially for a period of three months by issuing an appointment letter wherein the terms of his contractual appointment for three months was mentioned. He joined the duties on 10-4-1990 and was put off after the term of his contractual appointment was over. Subsequently, the management decided to fill up a temporary vacancy of Sweeper under the said Project occasionally and since the concerned workman once engaged by the management against a temporary vacancy, he was offered occasional employment for specific periods on contractual basis on seven occasions and put off duties from time to time on completion of the respective contractual periods. He was last engaged as such on 11-2-1992 for specific period on contractual basis and finally put off with effect from 1-4-1992. The aforesaid Project was declared as closed with effect from 30-6-1992. It is stated specifically that the termination of the concerned workman with effect from 1-4-1992 was fully in terms of the contractual engagement and the management was justified in doing so and no injustice was meted out to him in this regard. According to the management the said termination is a termination as per provisions of Section 2(oo)(bb) of the Act and the same is not a retrenchment as per provisions of the Act. Management has denied the allegation that it had violated the statutory provisions of Section 25F of the Act. It is, therefore, prayed that all the prayers and claims made on behalf of the workmen in the statement of claims be rejected.

6. A rejoinder is filed on behalf of the workmen to counter the written statement of the management. Regarding facts it is stated that they do not admit anything contrary to the matters of record. It is also stated that the termination of the concerned workman from the regular service was arbitrary. According to them even a casual service after a period of 240 days in broken spells will confer temporary status to the workman, making him eligible for absorption in service as per rules and his service can never be terminated.

7. Both the sides have examined one witness each in support of their respective claims and contentions in this case. WW-1, Ashoke Hela the concerned workman is the sole witness on behalf of the workmen. He has stated in his evidence before the Tribunal that his service was illegally terminated. He was appointed on 6-5-1983 in the service of the Kolkata Port Trust at Budge Budge in the vessel Tribeni as Sweeper on being sponsored by the Employment Exchange. However, that was during the

absence of regular workman and since the regular incumbent returned to work, he was made to sit. He registered himself in the Employment Exchange and later by order dated 9-4-1990 the management appointed him as a Sweeper under the River Training Wing and such appointment was purely temporary for three months. Subsequent to this he also received several appointment letters issued to him appointing him on purely temporary basis of short terms. He has pointed out that it will appear from these appointment letters that there were very short gap between the dates of appointments and termination which according to him was only a pen and paper arrangement. He actually worked on all those intermittent days in between the two periods, but he was not called upon to sign attendance register. He was, however allowed the salary of permanent employee in his category though he was a temporary employee. The last appointment letter which was issued to him on 11-2-1992 for a period of three months from the date of appointment and as such he was to continue in service till 11-5-1992, but he was terminated with effect from 1-4-1992. He has also stated that after termination of his service his job is being done outsiders. In cross-examination the witness has stated that he cannot say whether the River Training Wing is a project work or there is any comprehensive project there. He, however, has stated that he was taken in the River Training Wing itself and he was the first appointee there as a Sweeper. According to him was a regular vacancy since he worked in that post for two years.

He has re-examined himself after the matter is remanded back to this Tribunal by the Hon'ble High Court to prove some new documents. In cross-examination the witness has stated that his appointment in the Kolkata Port Trust was not contractual but temporary. As per Ext. W-10 his appointment was for three months which was to continue till 10-5-1992, but he was not allowed to work upto that date. He has also stated that he is unemployed at present as he could not get any other job. He has further stated that the establishment still exists. He has denied that his employment was terminated in terms of conditions of employment under Section 2(oo)(bb) of the Act.

8. MW-1, Subir Kumar Sengupta is the sole witness for the management in this case. He is the Executive Engineer posted at the River Training Wing. He has stated in his evidence that the concerned workman was a Sweeper in the office of the Deputy Chief Engineer, River Training Wing and his service was terminated with effect from 1-4-1992. He was purely a temporary employee and recruited from the Employment Exchange in the project for improvement of the drafts in the river Hooghly. The witness has referred to the various appointment letters issued to the concerned workman whereby he was appointed 2/3 months from time to time. The witness has also stated that the comprehensive project in which the concerned workman was appointed was closed since June, 1992. The

said project was a temporary one and the people were recruited temporarily and some people were also recruited from different departments. After the closure of the project those who were recruited from different sections were returned to the respective sections and the jobs of those persons recruited temporarily were terminated. In cross-examination the witness has stated that the appointment was for three months as per appointment letter issued on 11-2-1992 to the concerned workman and though according to the same he should have continued till 11-5-1992, his job was terminated with effect from 1-4-1992 due to administrative reasons. He was paid salary upto the end of March, 1992. He, however, cannot tell the administrative reason for such termination. Though, of course, he has pointed out Clause 4 of the appointment letter wherein it is provided that the job of the concerned workman can be terminated by 24 hours notice from either side. He has frankly admitted that there was no occasion to stop the work of the concerned workman prior to the completion of the period for which he was appointed. He further admitted that apart from the staff of different sections who were recruited in the project and sent back to their parent sections, all other persons who were recruited purely on temporary basis, excepting the concerned workman, are continuing in the service since they have been working without any break in the project. He cannot say if a Sweeper is working at Swarupganj in the District of Nadia where there is an office of the River Training Wing. According to him this office has nothing to do with the comprehensive project. It is also stated by the witness that after termination of the job of the concerned workman in the project they still required the job of a Sweeper in the department and it was discharged by engaging daily rated worker. He has no information whether just before the closure of the scheme 38 persons were absorbed in the department.

9. Several documents have been exhibited on behalf of both the parties and many of them are common. Following documents have been exhibited on behalf of the workmen. Ext. W-1 is the certificate dated 30-5-1983 issued by the Chief Officer, vessel Triveni in favour of the concerned workman. Ext. W-2 is another such certificate dated 15-7-1983. Exts. W-3 to 10 are 8 different letters of appointment of different dates issued by the management to the concerned workman appointing him on purely temporary basis for a specific period of 2/3 months each at the pay of Rs. 1040/ plus other allowances admissible under the rules in the pay scale of Rs. 1040-20-1200-25-1425. Ext. W-11 is a letter dated 1-11-1991 written by the Assistant Secretary-II to the Chief Engineer informing that the Chairman had directed that the concerned workman should continue to work as Sweeper after some break till such time a decision in all such cases is taken. Ext. W-12 is the letter dated 7-3-1990 issued by the Employment Exchange to the concerned workman for interview. Ext. W-13 is letter dated 7-3-1990 of the Employment Exchange to the Chief Engineer (River Training) alongwith list of candidates. Ext. W-14 is

the letter of the management dated 4-4-1990 to the Registrar Dock Hospital for medical test of the concerned workman. Ext. W-15 is the typed copy of a letter dated 22-1-1986 of the Chief Engineer (RT) to the Labour Adviser regarding filling up of one post of Sweeper. Ext. W-16 is the typed copy of a letter dated 4-11-1991 of the Deputy Chief Engineer (RT) to the Secretary regarding appointment of a Sweeper. Ext. W-17 is a letter dated 31-3-1992 of the Deputy Chief Engineer, River Training to the concerned workman terminating his service from 1-4-1992. Ext. W-18 is a letter dated 16-9-1994 of the Assistant Secretary to the Chief Engineer regarding retention of posts created for Comprehensive Scheme for improvement of draft of the River Hooghly. Ext. W-19 is a letter dated 23-9-1991 written by the Deputy Chief Engineer (RT) to the Secretary regarding retention of posts created for comprehensive scheme for improvement of draught in the River Hooghly. Ext. W-20 is a letter dated 8-4-1992 of the Deputy Chief Engineer(River Training) to the Civil Engineer (River Training) regarding sweeping R.T. Office by a local Sweeper. Ext. W-21 is a letter dated 15-4-1992 of the Assistant Secretary to the Deputy Chief Engineer (RT) on the same subject. Ext. W-22 is also a letter dated 7-5-1992 between the same authority on the same subject. Ext. W-23 is a letter dated 3-9-1993 of the Deputy Chief Engineer, River Training to the Financial Adviser & Chief Accounts Officer regarding adjustment of advance of Rs. 500 for payment to the local Sweeper for the month of February, 1993. Exts. W-24 and W-25 are the two letters dated 9-4-1993 and 1-10-1993 between the same authorities of the management regarding similar adjustments for the months of September, 1993 and August, 1994 respectively. Ext. W-25 is the attendance sheet for the month of August, 1994. Ext. W-28 is the same document Ext. W-18. Ext. W-29 is the letter of the Deputy Secretary-I to the Chief Engineer dated 14-11-1994 regarding maintenance of the closure of the secondary channel and a statement regarding various posts including Sweeper is marked Ext. W-30 with objection from the management.

10. Several documents have also been marked exhibits on behalf of the management. Ext. M-1 is the same document Ext. W-3. Ext. M-2 is the joining report dated 10-4-1990 of the concerned workman. Ext. M-3 is the note sheet dated 28-3-1990 is the note sheet of the Kolkata Port Trust, Office of the Deputy Chief Engineer, River Training Branch with approval. Exts. M-4 to M-10 are the same documents Exts. W-4 to W-10 respectively. Exts. M-11 to M-15 are the joining reports dated 3-11-1990, 16-4-1991, 25-7-1991, 4-11-1991 and 11-2-1992 respectively of the concerned workman. Ext. M-16 is a letter dated 2-1-1990 of the Secretary to the Chief Engineer regarding filling up of one post of Sweeper attached to River Training Wing. Ext. M-17 is a letter dated 29-1-1990 of the Deputy Chief Engineer of the management to the Employment Officer, Sub-Regional Employment Exchange regarding filling up of a post of Safai Mazdoor alongwith a requisition form.

Ext. M-18 is a letter dated 5-2-1990 of the Deputy Chief Engineer to the Employment Officer, Sub Regional Employment Exchange regarding filling up of a post of Sweeper. Ext. M-19 is a letter dated 27-2-1990 exchanged between the same authority on the same subject. Ext. M-20 is a letter dated 4-11-1991 of the Deputy Chief Engineer (RT) addressed to the Secretary regarding appointment of a temporary Sweeper and Ext. M/21 is a letter dated 11-11-1994 written by the Deputy Secretary-I to the Chief Engineer on subject of maintenance of closure of the secondary channel.

11. On the perusal of the aforesaid facts and evidence led on either side it is evident that the matter under this reference had earlier been decided by this Tribunal by its Award dated 20th February, 1997 and the claim of the workman was allowed regarding termination of his services saying it to be illegal and unjustified and the workman was held to be in continuous service in the post which he was holding on the date of termination and he was also held to be entitled to all the benefits that so to have accrued to him as if the order of termination was never passed. The management challenged this order in WP No. 28282 of 1997 before the Hon'ble High Court at Calcutta who by its order dated 12th August, 2002 had disposed of the matter by setting aside the Award so passed in favour of the workman and remanded the matter for fresh adjudication to this Tribunal with the observations made therein. The Hon'ble Court particularly had found the Tribunal to have not considered the aspect of contractual appointment in project job and the applicability of Section 2(oo)(bb) of the Industrial Disputes Act, 1947 for considering the legality or otherwise of termination of service of the workman in this regard. The matter was therefore remanded to this Tribunal for its fresh adjudication particularly with regard to the issue being raised in respect to Section 2(oo)(bb) of the Act by the either side. On the perusal of the aforesaid observations which were made by the Hon'ble Court it is evident that the Hon'ble Court in this connection had also considered the workman's appointment letter dated 11-2-1992 (Annexure C to the Writ Petition) in quite details at page 13 of its judgment dated 12th August, 2002. It was clearly found therein that the appointment letter dated 11-2-1992 which admittedly was so accepted by the workman makes it clear that the nature of appointment of the workman was clearly temporary in nature under River Training Wing with a specific condition under Clause 2 showing that the said appointment was to automatically come to an end when the particular work/job for which the Respondent No. 2 (workman) was engaged was to be completed even if the same was prior to the period of 3 months for which he had been so appointed therein. Clause 4 of the said appointment letter, Ext. W-10 further provided that it was agreed upon by the parties that service of 24 hours' notice was to be enough to terminate the service from either side. The matter which was so considered in this regard by the Tribunal for absorption or regularization was also referred by the Hon'ble Court by

saying that "From the aforesaid reference it is clear that under Section 10 of the I.D. Act Tribunal never was directed to decide the issue about permanent or temporary absorption of the Respondent No. 2 in the concerned post which was a post under a project job for a limited period. In the impugned Award it appears that the Tribunal decided the question otherwise by considering the reference as a reference for adjudication of permanent absorption of the Respondent No. 2 in a post which already was abolished and that too a post, which was under a time-bound project. Before the Tribunal it was admitted by both the parties by producing respective evidence that the project for which the Respondent No. 2 was appointed came to an end on 30th June, 1992. Hence, it is clear that after 30th June, 1992 there was no such post in which the Respondent No. 2 could be reappointed..... Once it was proved by evidence and admitted by both the parties that the Respondent No. 2 was appointed solely in a project job there was no existence of any post, the impugned Award declaring holding of the said post by the workman continuously for all purposes was absolutely a wrong decision." The Hon'ble Court thus made it clear that the scope and jurisdiction of the Tribunal did not extend to grant any such relief for the absorption or regularization of the concerned workman in this regard. The Hon'ble Court, however, since found that the Tribunal had not considered the effect of clause (bb) of Section 2(oo) of the Act, though it had been a positive case of the management before the Tribunal but there was no whisper about the adjudication of the matter from the said angle, it was thought by it that the matter be remanded for its fresh adjudication by this Tribunal regarding the applicability of Section 2 (oo)(bb) of the Act as per the appointment letter itself and particularly clause 4 of it. For deciding the said point it was also observed therein that the Tribunal could have answered the issue about the relief to the Respondent No. 2, workman in the nature of damage/compensation and/or service benefits till the period of completion of 3 months' period of service as per appointment letter and/or till the project job was completed on 30th June, 1992 as it was found to be so feasible and proper in the given facts and circumstances of the case.

12. Keeping in view the above facts and observations made by the Hon'ble Court therein while remanding the case to this Tribunal for its fresh adjudication, it is evident that the main issue remains to be considered about the applicability of Section 2 (oo)(bb) of the Act to the claim of the workman concerned particularly on the basis of the appointment letter dated 11-2-1992, Ext. W-10 in this regard.

13. The oral and documentary evidence led by both the sides in this connection itself go to show that the concerned workman was admittedly engaged as a Sweeper by the management for a project to cope with the contingency initially for a period of 3 months by issuing an

appointment letter in his favour from time to time and the terms of his contractual appointment for 3 months was always specifically mentioned therein for the same Exts. W-3 to W-10. The management decided to fill up this temporary vacancy occasionally for the said specific periods on contractual basis on 7 occasions and put-off duties from time to time on completion of the respective contractual periods in this regard. The workman was last so engaged on 11-2-1992 vide Ext. W-10 for a specific period on contractual basis and finally he was admittedly put off with effect from 1st April, 1992. It has come in the evidence that the aforesaid project itself was declared as closed with effect from 30th June, 1992. These facts as so stated by the management are not challenged on behalf of the workman as well and so stated by the management witness MW-1, Subir Kumar Sengupta who was examined to have also stated all these facts about it in a positive manner. It has been stated by him that the workman was purely a temporary employee in the project and also that he had been so appointed for 2/3 months from time to time. Also that the said project was temporary one and so the people were recruited temporarily and some of them even were recruited from different departments of the organization. In view of that after the closure of the project, those who were so recruited from different sections had been returned to the respective sections and job of those persons recruited temporarily were terminated accordingly. The job of the workman consequently was so terminated with effect from 1st April, 1992 due to administrative reasons and for this the workman concerned had been paid his salary upto the end of March, 1992 accordingly. In view of the aforesaid evidence led by the parties in this case the factual position remains admitted to both the sides that the appointment of the workman concerned was there under a project only and also that it was in the nature of a contractual appointment that could utmost have continued upto 30th June, 1992 and not later than this date.

14. The representative of the workman, however, has submitted that Section 2 (oo)(bb) of the Act has got no application to the present case concerning the workman so as to cause termination of his service which the management in this case has done and it is malafide, arbitrary, illegal and also in the gross violation of the principles of natural justice and also it has been a deliberate violation of the provisions contained in Section 25F of the Act in this regard. Moreso it is in total breach of contractual obligation as well. Further the management and its officials vide two letters dated 1st November, 1991 and 4th November, 1991, Ext. W-16 had also recommended the case of the concerned workman for regularization of his services in this connection but it was not done by the management for the reasons best known to it. The termination of the services of workman from his regular service after a period of 240 days in broken spells would certainly confer temporary status upon him and also he

will be eligible for his absorption in the service as per rules and it could not have been legally so terminated. Also that on its showing and as per Ext. W-10 the appointment letter of the workman was for 3 months and so he could very well have continued till 10th May, 1992, but he had not been allowed to do so for the reasons best known to the management. Also that the establishment still exists and even after termination of his service, job of a Sweeper is still there but that is being done by the outsiders. Also that the concerned workman should be allowed to work as regular Sweeper as he had already so worked in that post for 2 years and above. For this, the representative of the workman has referred to the decision of the Hon'ble Gujarat High Court in Gujarat State Machine Tools Corp. Ltd. v. Deepak J. Desai, 1987 (55) FLR 527 wherein it is observed that :

“From the definition of Section 2(oo) of the Act as regards the retrenchment, we do not find anything in this definition to exclude the temporary worker from such a definition. Hence, the argument of Mr. Nanavati to the effect that this definition as it stood at the time of discharge of the present respondent will not include temporary worker cannot be appreciated.”

He has further referred to the observations of the Hon'ble Delhi High Court in M/s. Delhi Press v. K.S. Sidhu & Ors., 1979 (38) FLR 415 stating that :

“The discharge of the workmen in accordance with the terms of the contract can, per se, not be said to be illegal. This is not to say that the Tribunal has no jurisdiction to relieve the parties of the contract or arrive at a finding that the terms of the contract into which the parties had entered or the action of the management in pursuance of the contract amounted to unfair labour practice or victimization. It is typical of only Industrial Law that the Tribunal can create new rights and obligations or relieve the parties of the burden of the contract. Victimization means where the workman concerned is innocent and yet he is being punished because by being an active member of a Union or supporting the cause of other workmen who were acting prejudicially to the Management's interests, the concerned workman has displeased the employer. Thus, there is a clear and specific plea of the motive of the Management being mala fide. The unfair labour practice is not capable of any precise definition but certain activities of the management may result in unfair labour practices.”

The observation of the Hon'ble Apex Court in the Punjab Land Development & Reclamation Corporation Ltd. & Ors. V. The Presiding Officer, Labour Court, Chandigarh & Ors., 1990 (61) FLR 73 was also referred wherein the Hon'ble Court has said that :

“Thus, though the right of the management to effect retrenchment cannot normally be questioned, when

a dispute arises before an Industrial Court in regard to the validity of any retrenchment, it would be necessary for industrial adjudication to consider whether the impugned retrenchment was justified for proper reasons. It would not be open to the management either capriciously or without any reason at all to say that it proposes to reduce its labour force for no rhyme or reason. This position cannot be seriously disputed."

15. Thus the representative of the workman relying upon the aforesaid facts and case law cited on his behalf argued that the concerned workman was not appointed for any project work and nature of his appointment was also not contractual and as such it cannot come under provision of Section 2 (oo)(bb) of the Act. It has also been argued that the workman had rendered service for more than 240 days in the preceding 12 months and there has been no compliance of Section 25F of the Act at the time of termination of his service and as such the retrenchment whatsoever resorted to by the management is neither bonafide nor legal. He has particularly referred to the documents concerning his appointment to the post of Sweeper vide Exts. W-3 to W-10 wherein it is indicated that his appointment was regular one and not for any specific purpose as submitted by the management in this regard. He has also referred to the other document Ext. W-15 showing that the workman was appointed under the establishment of the Deputy Chief Engineer (RT) as regular employee and that is why the document Ext. W-1 filed on his behalf goes to show that the appointing authority had also proposed to retain him for further period of 2 years as there was requirement of two Sweepers in the organization at that time. It has also been submitted that a Sweeper is essential for an organization and that is why the management even after terminating the service of the workman engaged local Sweepers as per papers filed by him this regard vide Exts. W-22 to W-25 which shows that local Sweepers were engaged and payment was made to them for this purpose. The question of applicability of Section 2 (oo)(bb) which clearly provided that there must be a specific project work specifying the period of project work and the terms of appointment for such project work be also mentioned therein which was not in fact so in this case of the work done by the workman. Moreover, the Tribunal can very well consider the bonafide of the terms of the appointment so made by the management and the character of such appointment and it has power to lift the veil and to decide all the questions from the documents filed on behalf of the workmen in this regard which clearly go to show that the nature of his appointment cannot be said to be a contractual one. It is also submitted that the appointment made through Ext. W-10 also goes to show that it was made for 3 months which itself could have come to an end on 11th May, 1992 and not before that as in this case it was terminated on 1st April, 1992, i.e., more than a

month earlier. In view of that it has been argued that the workman should be reinstated in the service and be also held to be entitled to get his full back wages and other consequential benefits as it had also been awarded to him earlier by this Tribunal.

16. The representative of the management however, has challenged the claim and contention of the workman as submitted on its behalf by submitting that this matter is now before this Tribunal after its remand to decide the reference only with regard to the issue as raised being based on Section 2 (oo)(bb) of the Act only. It is also submitted that the workman admittedly had his appointment as shown by him through the various documents filed on his behalf vide Exts. W-3 to W-10 go to show that his appointment had so been made by the management under a project which was contractual in nature and therefore, the order of his termination clearly comes within the purview of clause (bb) of Section 2 (oo) of the Act and as such it was not a case of retrenchment as so defined under Section 2 (oo) of the Act. It is evident that in terms of contract of his appointment Ext. W-10 itself the workman could not have any further right to continue in service under the Kolkata Port Trust beyond the period of 10th May, 1992 as per his appointment letter. The parties also by their respective evidence as produced by them before this Tribunal through their respective documents shows that the workman had been so appointed under a project only and that too admittedly had come to an end on 30th June, 1992. In view of that, after this date there could be no such post to be so available to the workmen in which he could be really reappointed as claimed by him. For this particularly the basis of the very claim of the workman, i.e., the appointment letter dated 11-2-1992 vide Ext. M-10 may itself be referred to and it goes to show that by this the appointment of the workman was made for 3 months, i.e., upto 10th May, 1992. The heading of the appointment letter itself goes to show that this had been a temporary arrangement for a job of Sweeper under River Training Wing for three months only. As per clause 4 of this letter, Ext. W-10 it is provided that without prejudice to the above mentioned conditions therein the service or the workman could be terminated on 24 hours' notice from either side. In view of that and looking at the nature of appointment along with the conditions mentioned therein it clearly go to show that the workman concerned himself very well knew about the terms and conditions of his appointment so made by the management in this regard and he also had so accepted it by putting his own signature by accepting the same and therefore, he could not disown it by saying it to be not so binding on him for this purpose. In this connection the legal position as it stands does not help him. The case law as laid down by the Hon'ble Apex Court in Punjab Land Development and Reclamation Corporation Ltd. & Ors. V. The Presiding Officer, Labour Court, Chandigarh (1990-II-LLJ-70) while making interpretation of the provisions of

Section 2 (oo) of the Act has clearly observed that “when we analyze the mental process in drafting the definition of ‘retrenchment’ in Section 2 (oo) of the Act, we find that firstly it is to mean the termination by the employer of the service of a workman for any reason whatsoever. Having said so, the Parliament proceeded to limit it by excluding certain types of termination, namely termination as a punishment inflicted by way of disciplinary action. The other types of termination excluded were (a) voluntary retirement; or (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation on that behalf; or (c) termination of service of a workman on the ground of continuous ill health. Had the Parliament envisaged only the question of termination of surplus labour alone in mind, there would arise no question of excluding (a), (b) & (c) above. The same mental process was evident when Section 2 (oo) was amended inserting another exclusion clause (bb) by the Amending Act 49 of 1984 with effect from 18th August, 1984, “termination of the service of workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein”. Further, it is also evident that in this case the project under which the workman was so appointed having come to an end on 30th June, 1992, there was no existence of any such post thereafter and so the question of giving any such appointment to the workman did not arise at all. This position now stands fully established by the recent decision of the Hon’ble Apex Court in Secretary, State of Karnataka & Ors. V. Umadevi (3) & Ors., (2006) 4 SCC 1 wherein the Hon’ble Court has made its observations about the aforesaid settled legal principles to be so applied for such cases and about the rights so available to such persons so appointed by statutory bodies for their regularization, absorption as the case may be in this regard. In paragraph 48 of it the principles to be applied were so clarified by saying that:

“.....No right can be founded on an employment on daily wages to claim that such employee should be treated on a par with a regularly recruited candidate, and made permanent in employment, even assuming that the principle could be invoked for claiming equal wages for equal work. There is no fundamental right in those who have been employed on daily wages or temporarily or on contractual basis, to claim that they have a right to be absorbed in service. As has been held by this Court, they cannot be said to be holders of a post, since, a regular appointment could be made only by making appointments consistent with requirements of Articles 14 and 16 of the Constitution. The right to be treated equally with the other employees employed on daily wages, cannot be extended to a

claim for equal treatment with those who were regularly employed. That would be treating unequal as equals. It cannot also be relied on to claim a right to be observed in service even though they have never been selected in terms of the relevant recruitment rules. The arguments based on Articles 14 and 16 of the Constitution are therefore overruled.”

17. In view of the aforesaid facts and settled legal principles being there it is evident that the workman appointed as a Sweeper in this case through various appointment letters Exts. W-3 to W-9 and Ext. W-10 as referred to above under River Training Wing had been so appointed admittedly for a period of three months only. This fact is also so borne out from the facts alleged in their pleadings by both the sides in their written statement and by the number of documents so relied upon by them in this connection. In view of this admitted fact about the nature of the appointment of the workman concerned the matter regarding his termination of services is to be considered in this regard and for this it is to be considered particularly with regard to the issue of the applicability of the provisions of Section 2 (oo)(bb) of the Act in this case as to whether it has been so legal and justified or not. It is evident that the provisions of retrenchment as it is so defined in Section 2 (oo) of the Act means a termination by the employer of the service of workman for any reason whatsoever otherwise than as punishment inflicted by way of disciplinary action. This definition is very wide and it is in two parts. The first part is exhaustive which lays down what retrenchment means while the second part excludes termination of service for certain reasons from the ambit of retrenchment. Sub-clause (bb) of it has been inserted by the Amending Act of 49 of 1984. Its effect as it shows therein is to exclude from the ambit of the definition of retrenchment (i) termination of service of a workman as a result of non-renewal of contract of employment between the employer and the workman concerned on its expiry and the second termination of the contract of employment in terms of a stipulation contained in the contract of employment. The expression such contract in the second part of the clause refers to contract of employment between the employer and the workman concerned. By providing the mode and manner of termination of service and as such termination of service has now specifically been so exempted from the ambit of definition of this sub-clause. As a result of this amendment under the contract that being so it will not constitute retrenchment. This legal aspect and scope of it has been considered by the Hon’ble Apex Court in a recent decision of Haryana State Agricultural Marketing Board v. Subhash Chand and Another (2006-II-LLJ-241) wherein reliance was placed on its earlier case Municipal Council Samrala v. Raj Kumar, Civil Appeal Nos. 299-300 of 2006 to hold that such termination of service could not be said to be a retrenchment if covered by the

exception as contained in clause (bb) of Section 2 (oo) of the Act. The section as it stands is in two parts, i.e. the first contemplates termination of services of the workman as a result of non-renewal of contract of employment on its expiry whereas the second part postulates termination of such contract of employment in terms of stipulation contained in that behalf. In this connection the Hon'ble Apex Court considered the effect of the period of such work for more than 240 days done by a workman within a period of 12 months preceding such termination of his service in other case, i.e. State of U.P. v. Niraj Awasthy (2006-I-LLJ-721) wherein it was clearly held that it is not permissible to regularize the services of such employees although they might have so worked for 240 days within a period of 12 months preceding such termination.

18. Thus, in view of the aforesaid facts and circumstances it is evident that the workman by his appointment letter dated 11-2-1992, Ext. W-10 got his appointment for a fixed term of 3 months only and his service could very well be so terminated as per its conditions so mentioned therein by Clause 4 of this letter, i.e., the service of the workman could have been terminated on 24 hours notice from either side. Such termination, either on non-renewal of service of contract or on expiry of fixed term contract cannot be said to be a retrenchment as held by the Hon'ble Rajasthan High Court in somewhat similar circumstances in Ram Prasad & etc. v. State of Rajasthan & Ors. (1992 LAB. I.C. 2139 wherein after reviewing number of cases of the Hon'ble Apex Court it so held that such termination of service under a contract vide Section 2 (oo) (bb) of the Act are not violative of the Articles 14, 21 and 39 (d) of the Constitution merely on the ground that it could be misutilised by unscrupulous employers. The Hon'ble Court has said that the provisions of Section 2 (oo)(bb) of the Act are not arbitrary or unconstitutional as follows :

“.....It can be possible that the work may be of a permanent nature and the unscrupulous employer in order to avoid regularization of the services of employees may resort to fixed term appointments but that does not render the provisions of S. 2 (oo) (bb) of the Act as arbitrary. Simply a provision is being misused by unscrupulous employer, it cannot make that provision arbitrary. The work may be of a casual nature and may be of a limited scope and in such cases, the employer cannot be saddled with making permanent employment and, therefore, this provision by itself is neither unreasonable nor arbitrary. If the Court comes to a conclusion that the provisions of S. 2 (oo)(bb) of the Act are being misutilised by unscrupulous employers, it can grant relief to the employees. In this view of the matter, we are unable to hold the provisions of S. 2 (oo)(bb) of the Act as arbitrary being violative of the provisions of Arts. 14, 19, 21, 23 and 39 (d) of the Constitution.”

In another case the Hon'ble Madras High Court in 1993-I-LLJ-103 also held that sub clause (bb) of Section 2(oo) of the I.D. Act does not offend the provisions of Part-III of the Constitution of India and it is valid and constitutional. It is also evident that it does not run counter to the provisions of Sections 25F, 25G and 25H of the Industrial Disputes Act and the expression retrenchment used in those sections must be understood only in the way in which it is defined in Section 2 (oo) of the I.D. Act. Thus it has been held by it as well that Sub-clause (bb) of Section 2 (oo) of the I.D. Act is constitutionally valid and quite enforceable as well in this regard. The workman having got his appointment for three months and reengaged in broken spells intermittently from 9-4-1990 to 1-4-1992 goes to show that occasionally the employment that was given to the workman was for specific periods on contractual basis only on eight occasions and so he was put-off duty from time to time on completion of the aforesaid contractual periods for which he had been so appointed on eight occasions. This termination based on contractual relationship between the parties as such on the basis of the aforesaid appointment letters which were given to the workman, the termination of his services as per provisions of Section 2 (oo)(bb) of the Act legally could not be termed as retrenchment as so defined in the Act for this purpose. There is no question of any violation made by the management of any such statutory provision of Section 25F of the Act as alleged on behalf of the management in this connection as the management was within its legal right to do so for passing the impugned order of termination of services of the workman concerned once the conditions mentioned in the appointment letter, Ext. W-10 were so followed by it. There is thus no question of granting of any relief to the workman by setting aside the termination order so passed against him or to make any such order for his reinstatement in the service to the project as on its own showing it itself came to an end on 30th June, 1992 and therefore, after 30th June, 1992 there could be no such post available to the management where the workman could be so reappointed as it is so claimed by him in this regard.

19. As regards any relief or compensation to be so awarded to the concerned workman on account of the fact that it is admittedly a case of premature termination of his service by the impugned order so passed against him by the management, it is evident that the admitted case of both the parties as mentioned above goes to show that the project for which the workman had been appointed could very well have continued for a period of three months, i.e., upto 11-5-1992 whereas the workman had been put-off from his duties as Sweeper with effect from 1-4-1992 about a month or so earlier to this. The project was closed with effect from 30th June, 1992 and therefore, the workman could very well have so continued upto that date, had his services were not so terminated by the management through this letter of termination, Ext. W-17 in this regard. The management for this has only stated

that this order of termination was passed by it on account of some administrative reasons which has not been so disclosed or specified either in its pleadings or even by the statement as it was so given by its witness, MW-1, Subir Kumar Sengupta who on his part expressed his inability to tell the reasons behind passing of this order. He also admitted in his cross-examination that there was no occasion to stop the work of the concerned workman prior to the completion of the period for which he had been so appointed. It is also evident that after the termination of his services, the work of the Sweeper was there in the project and for this the management had taken the services of the outsiders.

20. Considering all these facts and the terms of the appointment letter dated 11-2-1992, Ext. W-10, the workman concerned could very well have so continued to work in the project upto 11-5-1992 or even upto completion of it till 30-6-1992 when it was so closed later on and so it appears just and proper that in light of this fact and evidence as led by both the sides it was a case of unjustified premature termination of services of the workman and so the workman concerned deserves to be granted some relief as compensation to be awarded in his favour as he also

remained unemployed for the last so many years and is so even at present and considering all these facts and circumstances the concerned workman may be awarded a compensation of Rs. 25000 for loss of his job and services which otherwise could very well have continued upto 30-6-1992 till the project was so closed or at least till 11-5-1992 till the period of three months for which he was appointed in terms of his appointment letter Ext. W-10 in this regard.

21. In the result, the action of the management of Kolkata Port Trust in terminating the services of Shri Ashoke Hela, Ex-Sweeper, Office of the Deputy Chief Engineer, River Training Wing, Kolkata Port Trust w.e.f. 1-4-1992 is held to be quite legal. However, as held above the management is directed to pay a lump sum compensation of Rs. 25000 (Rupees Twenty-five thousand) to the concerned workman looking at the facts and circumstances of this case as stated above.

This is my Award.

C. P. MISHRA, Presiding Officer

Dated, Kolkata,
The 23rd December, 2008.